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Consejo de Seguridad

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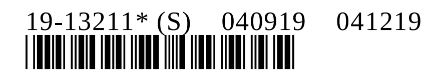
Nota de la Presidencia del Consejo de Seguridad

En el párrafo 2 de la resolución 2464 (2019), el Consejo de Seguridad solicitó al Grupo de Expertos establecido en virtud de la resolución 1874 (2009) que le presentase un informe de mitad de período con sus conclusiones y recomendaciones.

Por consiguiente, la Presidencia transmite adjunto el informe recibido del Grupo de Expertos (véase el anexo).

* Publicado nuevamente por razones técnicas el 4 de diciembre de 2019.

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Anexo

Carta de fecha 27 de agosto de 2019 dirigida a la Presidencia del Consejo de Seguridad por el Grupo de Expertos establecido en virtud de la resolución 1874 (2009)

El Grupo de Expertos establecido en virtud de la resolución 1874 (2009) tiene el honor de transmitir por la presente, de conformidad con lo dispuesto en el párrafo 2 de la resolución 2464 (2019) del Consejo de Seguridad, el informe de mitad de período sobre su labor.

El informe adjunto fue presentado el 31 de julio de 2019 al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006), que lo examinó el 26 de agosto de 2019.

El Grupo agradecería que la presente carta y su apéndice se señalaran a la atención de los miembros del Consejo de Seguridad y se publicaran como documento del Consejo.

Grupo de Expertos establecido en virtud de
la resolución 1874 (2009)

Apéndice

Carta de fecha 31 de julio de 2019 dirigida a la Presidencia del Comité del Consejo de Seguridad establecido en virtud de la resolución 1874 (2009) por el Grupo de Expertos establecido en virtud de la resolución 1718 (2006)

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Grupo de Expertos establecido en virtud de
la resolución 1874 (2009)

Informe del Grupo de Expertos establecido en virtud de la resolución 1874 (2009) del Consejo de Seguridad

Resumen

Durante el período que abarca el informe, la República Popular Democrática de Corea siguió mejorando sus programas nuclear y de misiles, aunque no llevó a cabo ensayos nucleares ni lanzamientos de misiles balísticos intercontinentales. Los lanzamientos de misiles en mayo y julio de 2019 aumentaron su capacidad general en materia de misiles balísticos. Si bien han proseguido los esfuerzos diplomáticos, incluso al más alto nivel, para lograr una desnuclearización verificable de la península de Corea de manera pacífica y, en general, unos niveles más bajos de tensión en la península, las investigaciones del Grupo de Expertos muestran que se siguen violando las resoluciones. Por ejemplo, la República Popular Democrática de Corea siguió violando las sanciones mediante continuas transferencias ilícitas de buque a buque y la adquisición de artículos relacionados con las armas de destrucción en masa y artículos de lujo. Esas y otras violaciones de las sanciones se ven facilitadas por el acceso del país al sistema financiero mundial a través de representantes bancarios y redes que operan en todo el mundo. La República Popular Democrática de Corea también ha utilizado el ciberespacio para lanzar ataques cada vez más sofisticados con el fin de robar fondos de instituciones financieras y plataformas de cambio de cibermonedas para obtener ingresos.

Las actuales deficiencias en la aplicación de las sanciones financieras por parte de los Estados Miembros, junto con las prácticas engañosas de la República Popular Democrática de Corea, permitieron que el país siguiera teniendo acceso al sistema financiero internacional. Las instituciones financieras de la República Popular Democrática de Corea, incluidos bancos designados, tienen más de 30 representantes en el extranjero que controlan cuentas bancarias y facilitan transacciones, entre ellas las destinadas a las transferencias ilícitas de carbón y petróleo. Representantes bancarios y entidades designadas del país utilizan a ciudadanos extranjeros cómplices para enmascarar sus actividades. El Grupo también investigó el uso generalizado y cada vez más sofisticado de medios cibernéticos por parte de la República Popular Democrática de Corea para forzar ilegalmente la transferencia de fondos de instituciones financieras y plataformas de cambio de cibermonedas, blanquear el producto robado y obtener ingresos evadiendo las sanciones financieras. En particular, los ataques a gran escala contra plataformas de cambio de cibermonedas permiten a la República Popular Democrática de Corea obtener ingresos de formas más difíciles de rastrear y sujetas a una menor supervisión y regulación gubernamentales que el sector bancario tradicional. Los ciberagentes de la República Popular Democrática de Corea, muchos de los cuales operan bajo la dirección de la Oficina General de Reconocimiento, recaudan fondos para los programas de armas de destrucción en masa del país, con ingresos totales hasta la fecha estimados en hasta 2.000 millones de dólares de los Estados Unidos.

Representantes de entidades designadas, como la Korea Mining Development Trading Corporation, Saeng Pil y Namchongang, siguieron operando en el extranjero, incluso con cobertura diplomática, tratando de transferir armas convencionales y conocimientos especializados y de adquirir equipo y tecnología para los programas de armas de destrucción en masa de la República Popular Democrática de Corea. El Departamento de la Industria de las Municiones y otras entidades designadas continuaron recaudando fondos para esos programas, incluso mediante el envío al extranjero de informáticos. La Oficina General de Reconocimiento y otras entidades

designadas, como el Mansudae Overseas Project Group, también importaron artículos de lujo e intentaron vender activos congelados en el extranjero.

La República Popular Democrática de Corea siguió realizando transferencias de buque a buque, en violación de las resoluciones. El Grupo descubrió nuevas técnicas de evasión, entre ellas el uso de sistemas de identificación automática de clase B por parte de buques cargueros y transferencias múltiples utilizando buques más pequeños. El Grupo recibió un informe de los Estados Unidos de América y otros 25 Estados Miembros que contenía imágenes, datos, cálculos y una evaluación de que en los cuatro primeros meses de 2019 se había superado la cantidad máxima anual de petróleo refinado que podía transferirse a la República Popular Democrática de Corea, fijada en 500.000 barriles por el Consejo de Seguridad. El Grupo también recibió una respuesta de la Federación de Rusia en el sentido de que, en la fase actual, sería prematuro que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) hiciera una determinación concluyente y pusiera fin a las importaciones de petróleo refinado. También recibió la respuesta de China de que se necesitaban más pruebas e información para emitir un juicio sobre la cuestión.

El Grupo observó que las sanciones no tenían el propósito de acarrear consecuencias humanitarias adversas para la población civil de la República Popular Democrática de Corea ni para la labor de las organizaciones internacionales y no gubernamentales que llevan a cabo actividades de asistencia y socorro en el país. Si bien se ha reducido el tiempo medio de tramitación de las solicitudes de exención, no se ha restablecido un canal bancario, lo que ha obstaculizado las operaciones en curso de las Naciones Unidas y las organizaciones humanitarias.

El Grupo recomienda una serie de designaciones y medidas prácticas a fin de proporcionar al Consejo de Seguridad, al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) y a los Estados Miembros herramientas adicionales con que hacer frente a las dificultades y deficiencias actuales en la aplicación de las resoluciones.

Índice

* Los anexos se distribuyen únicamente en el idioma en que fueron presentados y sin revisión editorial.

I. Introducción

1. En el párrafo 2 de su resolución 2464 (2019), el Consejo de Seguridad solicitó al Grupo de Expertos que presentara al Comité un informe de mitad de período con sus conclusiones y recomendaciones conforme a lo solicitado en el párrafo 43 de la resolución 2321 (2016). El presente informe abarca el período comprendido entre el 2 de febrero y el 2 de agosto de 2019.

II. Sanciones sectoriales y marítimas

Transferencias de buque a buque

Transferencias de buque a buque y entregas directas de productos derivados del petróleo

2. La República Popular Democrática de Corea ha seguido violando las resoluciones mediante transferencias ilícitas de buque a buque como medio principal de importación de petróleo refinado.

3. El Grupo recibió un informe que contenía datos actualizados que abarcaba el período comprendido entre el 1 de enero y el 23 de abril de 2019 sobre entregas mediante buques petroleros de productos derivados del petróleo refinado a la República Popular Democrática de Corea. En esa comunicación, facilitada por los Estados Unidos de América al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) el 11 de junio de 2019 y apoyada por otros 25 signatarios[1], se incluía una solicitud para que el Comité determinara de inmediato que se había violado el límite máximo de petróleo y que notificara posteriormente a los Estados Miembros el incumplimiento y confirmara que todas las transferencias subsiguientes de petróleo refinado a la República Popular Democrática de Corea debían cesar de inmediato (véase el anexo 1). El 18 de junio de 2019, la Federación de Rusia respondió que, en la fase actual, era prematuro que el Comité tomase una decisión definitiva sobre la propuesta de los Estados Unidos y pusiera fin a la exportación de petróleo refinado a la República Popular Democrática de Corea (véase el anexo 2). China señaló el 18 de junio de 2019 que necesitaba más pruebas e información para emitir un juicio sobre esa cuestión.

4. Según el informe presentado por los Estados Unidos, la República Popular Democrática de Corea habría superado efectivamente el tope de importación de 500.000 barriles (resolución 2397 (2017), párr. 5) al 23 de abril de 2019 en cualquiera de las tres hipótesis calculadas que abarcan las 70 entregas comunicadas: petroleros con carga completa, petroleros con media carga o petroleros con un tercio de carga[2]. En la última hipótesis, suponiendo que en cada escala se suministrara solo un tercio de la capacidad del buque identificado, el volumen asociado ya habría superado el tope anual para 2019 al 23 de abril, si se añaden las cantidades de petróleo suministradas presentadas al Comité por China y la Federación de Rusia[3]. Según el informe, en la primera hipótesis, suponiendo que los petroleros estuvieran totalmente cargados, el tope de importación se habría superado al menos en un 100 %, con un total estimado de 1.093 millones de barriles. Además de sus

[1] La República de Corea y el Reino Unido de Gran Bretaña e Irlanda del Norte también se sumaron a los 23 copatrocinadores (véase el anexo 1).

[2] Esta hipótesis se basa en la cantidad mínima probable de carga económicamente viable de un petrolero.

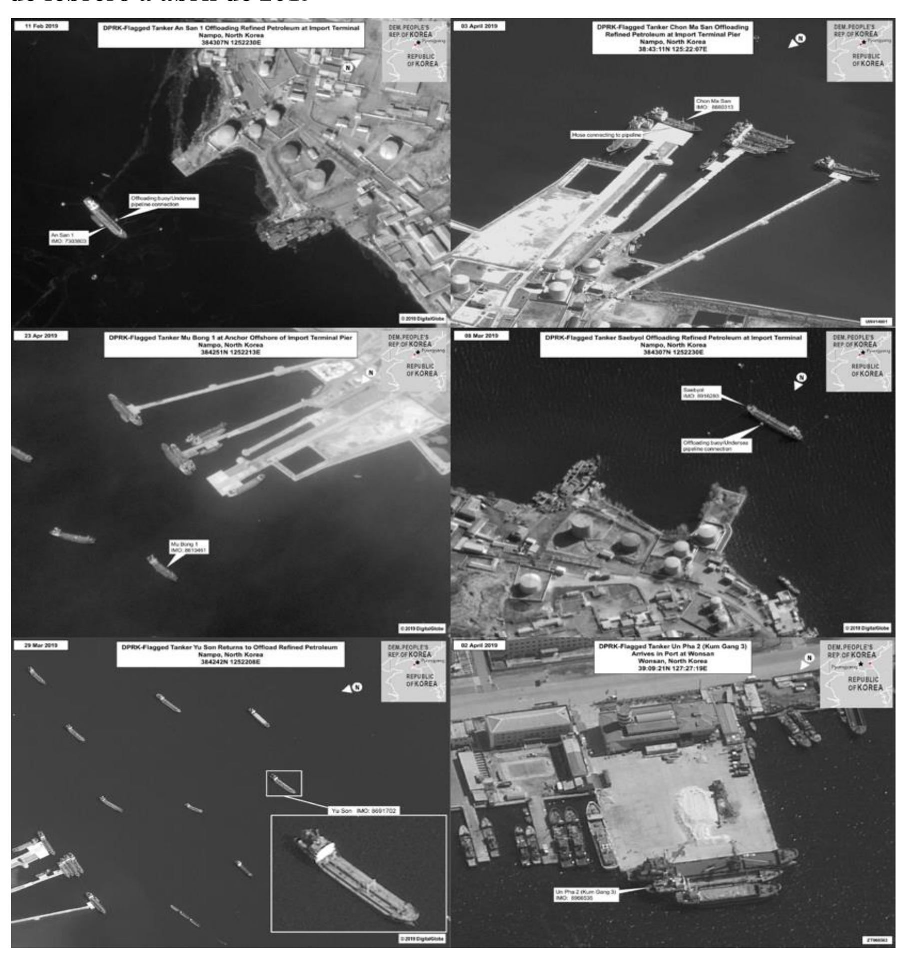
[3] Para abril de 2019, China había presentado al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) una cantidad acumulada de 4.194,43 toneladas de productos refinados derivados del petróleo exportados a la República Popular Democrática de Corea desde enero de 2019. La Federación de Rusia presentó una cantidad acumulada de 18.974,616 toneladas métricas para el mismo período. En mayo, China y la Federación de Rusia comunicaron una cantidad adicional de 1.536,03 toneladas y 3.208,969 toneladas de petróleo, respectivamente, que se habían exportado.

estimaciones, los Estados Unidos también proporcionaron al Grupo imágenes de satélite que indicaban productos derivados del petróleo ilícitos a los puertos de la República Popular Democrática de Corea (véase la figura I), y otro Estado Miembro proporcionó información sobre transferencias ilícitas de buque a buque por parte de petroleros de la República Popular Democrática de Corea (véase la figura II). La Federación de Rusia señaló que todavía estaba considerando la información proporcionada por los Estados Unidos sobre los casos de presuntas transferencias de productos refinados derivados del petróleo de buque a buque a la República Popular Democrática de Corea, así como los resultados de los modelos por ordenador (véase el anexo 2).

5. El Grupo también ha seguido documentando el uso generalizado de técnicas de ocultación y ofuscación por parte de los petroleros y las partes cómplices, lo que, a juicio del Grupo, constituye una evasión de la prohibición de las transferencias ilícitas de petróleo de buque a buque a la República Popular Democrática de Corea. Se produjeron entregas directas no declaradas en violación del requisito de presentar informes sobre las importaciones de productos derivados del petróleo (véase la resolución 2397 (2017), párr. 5). Los indicadores económicos que reflejan precios generalmente estables de la gasolina y el diésel en la República Popular Democrática de Corea indican la falta de escasez interna a pesar de las sanciones internacionales.

Figura I

Entregas en puertos de la República Popular Democrática de Corea de febrero a abril de 2019



Fuente: Estado Miembro; *Mapa*: el Grupo.

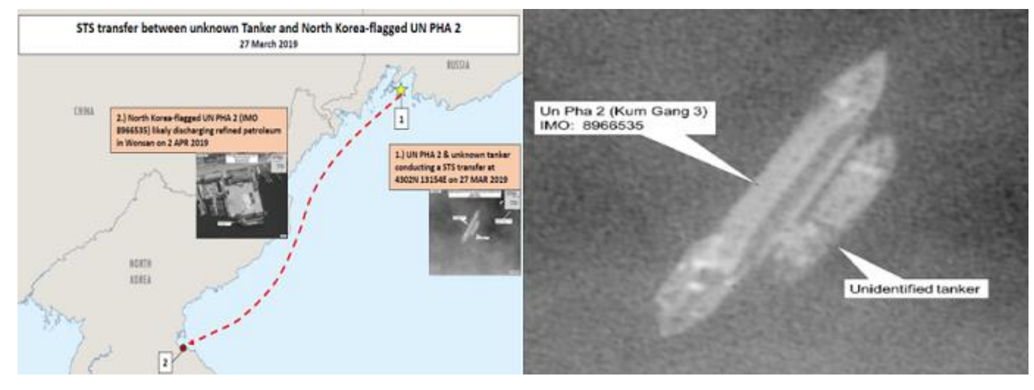
Figura II
Transferencias ilícitas de buque a buque

El buque Yu Son realizando una transferencia de buque a buque con un buque no identificado el 20 de marzo de 2019



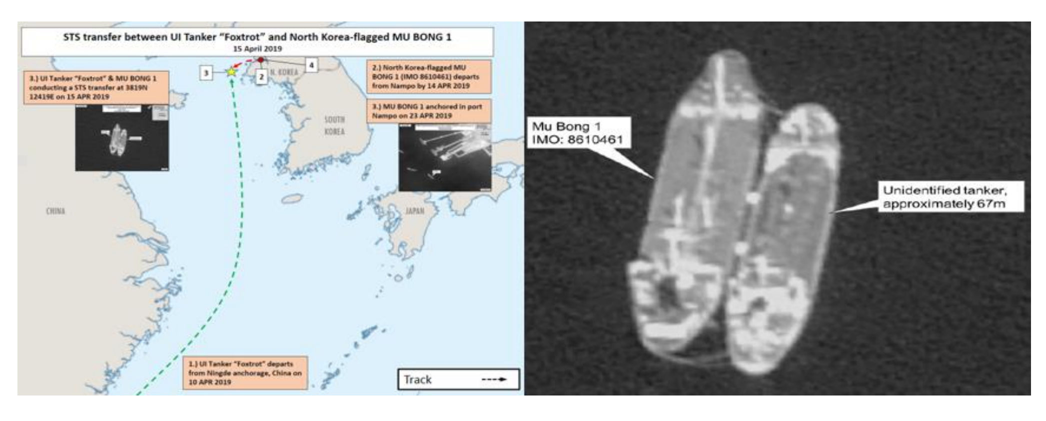
Fuente: Estado Miembro.

El buque Un Pha 2 realizando una transferencia de buque a buque con un petrolero no identificado el 27 de marzo de 2019



Fuente: Estado Miembro.

El buque Mu Bong 1 realizando una transferencia de buque a buque con un petrolero no identificado el 15 de abril de 2019



Fuente: Estado Miembro.

Recomendaciones

6. **Los Estados Miembros deberían informar al Comité de toda transferencia de la que tengan conocimiento, de conformidad con lo dispuesto en las resoluciones**.

7. **Los Estados Miembros deberían fomentar el intercambio de información entre los comerciantes internacionales de productos básicos, los propietarios y operadores de flotas de petroleros y los aseguradores de buques para verificar el destino real de los petroleros a fin de evitar la evasión mediante la manipulación de la transmisión del sistema de identificación automática**.

8. **El Grupo recomienda que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) designe a los siguientes buques por realizar transferencias ilícitas de productos derivados del petróleo, en violación de lo dispuesto en el párrafo 5 de la resolución 2397 (2017)**:

a) Un Pha 2 (núm. 8966535 de la OMI), pabellón de la República Popular Democrática de Corea, por realizar una transferencia de buque a buque con un petrolero desconocido el 27 de marzo de 2019;

b) Mu Bong 1 (núm. 8610461 de la OMI), pabellón de la República Popular Democrática de Corea, por realizar una transferencia de buque a buque con un petrolero desconocido el 15 de abril de 2019.

Nuevos métodos de evasión

9. El Grupo observa el uso continuo de técnicas de evasión ya bien documentadas, entre ellas el apagado del sistema de identificación automática, el camuflaje físico, el uso de embarcaciones pequeñas sin números de la OMI, el cambio de nombre, las transferencias nocturnas y otras formas de falsificación de la identidad. Además, durante el período que se examina, el Grupo determinó que se utilizaban métodos de evasión que no se habían denunciado anteriormente para eludir las sanciones.

Buques con pabellón extranjero que realizan entregas directas a Nampo

10. Un Estado Miembro ha observado casos de entregas directas de productos refinados derivados del petróleo no declarados a la República Popular Democrática de Corea por buques con pabellón extranjero. Ejemplos de esos buques son el New Regent, con pabellón retirado (núm. 8312497 de la OMI), el Viet Tin 01 (núm. 8508838 de la OMI) con pabellón de Viet Nam, y el Sen Lin 01 (núm. 8910378 de la OMI) con pabellón de Sierra Leona. Esos buques descargaron productos derivados del petróleo en Nampo entre enero y abril de 2019. El Viet Tin 01 hizo una escala en el puerto de Nampo, mientras que el Sen Lin 01 visitó Nampo en diez ocasiones distintas. El New Regent, designado para la retirada del pabellón y prohibición global de recalar en puertos, entregó petróleo a Nampo en dos ocasiones en 2019 (véase la figura III)[4]. Según el Estado Miembro, la designación del New Regent probablemente hizo que la República Popular Democrática de Corea decidiera convertirlo de un carguero a un petrolero de reparto.

[4] Mega Glory Holdings declaró en un correo electrónico al Grupo de fecha 8 de julio de 2019 que había vendido el New Regent a otra empresa en abril de 2018. El Grupo observó que al 21 de julio de 2019, las bases de datos marítimas seguían incluyendo a Mega Glory Holdings como propietario, operador y gestor registrado del buque. Continúan las investigaciones del Grupo.

Figura III
New Regent en Nampo por primera vez



Fuente: Estado Miembro; *Mapa*: el Grupo.

11. El Viet Tin 01 zarpó a Nampo el 26 de febrero para entregar un cargamento de petróleo refinado y partió al día siguiente. El Grupo constató que el buque había estado operando sobre la base de un fletamento a casco desnudo desde el 4 de enero de 2019[5]. La empresa “Happy Shipping Co. Ltd.”, con sede en Fujian (China), fletó el buque a través de una empresa con sede en Singapur, KLJ Marine Services Pte. Ltd. (véase el anexo 3). Viet Nam informó al Grupo de que el propietario del Viet Tin 01, la empresa Viet Trust Shipping Corporation, no había podido ponerse en contacto con el fletador a casco desnudo para reclamar su buque. Un Estado Miembro informó al Grupo de que los contactos entre el propietario del buque y Happy Shipping Co. Ltd. se habían realizado a través del bróker individual K.S. Kwek[6]. El Sr. Kwek declaró al Grupo que solo había prestado servicios personales de traducción. La investigación prosigue.

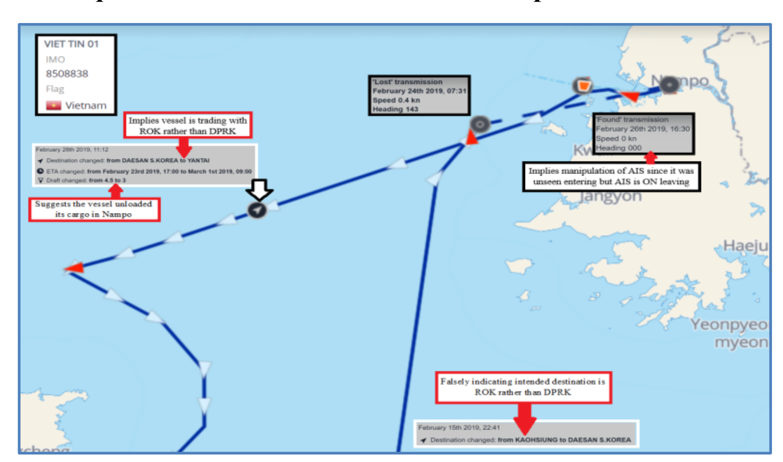
12. El último puerto registrado en que hizo escala el Viet Tin 01 fue Singapur, entre el 30 de enero y el 2 de febrero de 2019. Los documentos indicaban que el puerto en que se descargó el cargamento fue Ulsan (República de Corea) (véase el anexo 4), pero el 2 de febrero de 2019, el sistema de identificación automática del Viet Tin 01 indicó en un principio que su siguiente puerto era Nampo, aunque una hora más tarde se cambió a Kaohsiung. Posteriormente merodeó por Kaohsiung del 13 al 16 de febrero, antes de dirigirse a Nampo (véase la figura IV). El sistema de identificación automática del buque se apagó durante la mayor parte de su viaje en el mes anterior a su escala en el puerto de Nampo. El Gobierno de Viet Nam está investigando, y según sus propias indagaciones, Singapur ha proporcionado información sobre la escala en el puerto y sobre el cargamento de 5.108 barriles de petróleo.

[5] Un acuerdo de fletamento en el que no se incluye tripulación ni provisiones como parte del acuerdo y que es responsabilidad del arrendatario.

[6] La empresa del Sr. Kwek es una empresa diferente de KLJ Marine Services Pte. Ltd. El Sr. Kwek ha negado cualquier relación comercial o personal con KLJ Marine Services Pte. Ltd.

Figura IV

Ruta del Viet Tin 01 e imágenes de satélite del muelle petrolífero de Nampo (38° 42′ 55″ 55″ N 125° 22′ 04″ 04″ E) el 26 de febrero de 2019 que muestra un buque de dimensiones similares en Nampo



Fuente: Windward.



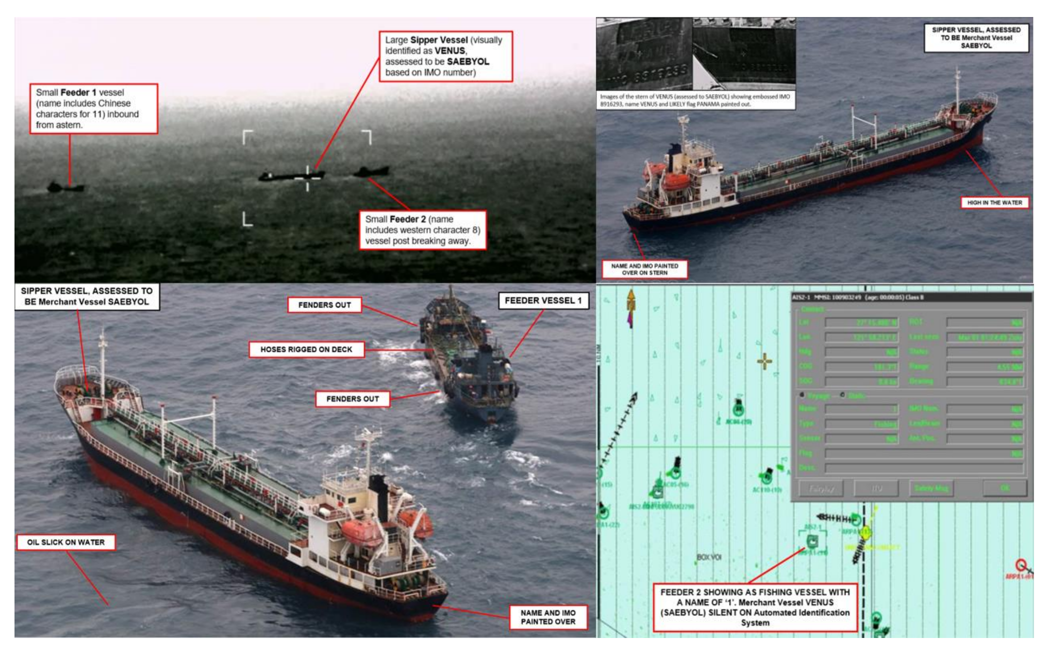
Fuente: Planet Labs, Inc.

Técnicas de encubrimiento de embarcaciones

13. Un Estado Miembro proporcionó al Grupo pruebas de que el 19 de marzo de 2019 un petrolero mercante faenaba en el mar de China oriental con el sistema de identificación automática desconectado mientras hacía una transferencia de buque a buque con otro carguero no identificado de menor tamaño. El buque más grande había pintado parcialmente por encima de su número de la OMI, pero el número “8916293”, aún visible, se correlaciona con el buque designado Saebyol (también conocido como Chong Rim 2). El nombre del buque, también pintado por encima, estaba grabado con el nombre “Venus”. La figura V muestra un buque muy cargado (carguero 1) acercándose al Saebyol, mientras que otro buque que parece estar sin carga (carguero 2) se ha alejado después de transferir combustible de buque a buque. El carguero 1 mostraba indicios de que estaba listo para una transferencia de buque a buque, con mangueras aparejadas en la cubierta y defensas desplegadas. Una mancha de petróleo en el agua cercana indica que el carguero 2 acababa de completar una transferencia de buque a buque.

Figura V

El Saebyol efectuando una transferencia de buque a buque el 19 de marzo de 2019 y el carguero 2 transmitiendo como “pesquero” y actuando potencialmente como señuelo



Fuente: Estado Miembro.

14. En una nueva técnica, el carguero 2 parecía estar utilizando un transpondedor del sistema de identificación automática de clase B para identificarse como buque pesquero a fin de ocultar su identidad y limitar su alcance de detección. El carguero 2 también podría haber servido como localizador[7] para posibles buques de transferencia en nombre del Saebyol con su sistema de identificación automática apagado.

Buques cargueros que regresaron

15. Buques cargueros regresaron para realizar transferencias sucesivas de buque a buque con el petrolero An San 1 (núm. 7303803 de la OMI) de la República Popular Democrática de Corea en el mar de China oriental los días 13 y 14 de mayo de 2019. Esas transferencias tardaron una media de 1,5 horas y tuvieron lugar al amanecer y al atardecer en días consecutivos (véase la figura VI) utilizando embarcaciones más pequeñas que carecían de elementos identificadores, probablemente para evitar la vigilancia aérea.

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[7] Los transpondedores del sistema de identificación automática clase B son utilizados por buques que se encuentran por debajo del umbral que obliga a tener un sistema de identificación automática (clase A) requerido por el Convenio Internacional para la Seguridad de la Vida Humana en el Mar, de 1974, como los buques pesqueros pequeños. Aunque los dispositivos de clase B tienen menos funcionalidad y menor potencia y alcance, funcionan y se comunican con los dispositivos de clase A utilizados en buques de arqueo bruto igual o superior a 300 toneladas.

Figura VI

Buques de nacionalidad desconocida realizando transferencias sucesivas de buque a buque con el petrolero An San 1 durante dos días consecutivos





Fuente: Estado Miembro.

16. La información proporcionada más arriba por distintos Estados Miembros en relación con el Saebyol y el An San 1 ilustra que petroleros de la República Popular Democrática de Corea se están reuniendo con múltiples buques para asegurar una carga más completa antes de regresar al país para descargar su cargamento ilícito.

Propietarios, armadores y gestores

17. Los buques que realizan transferencias de buque a buque o entregan directamente petróleo refinado a la República Popular Democrática de Corea suelen ser buques más pequeños con un tonelaje de peso muerto de entre 1.000 y 20.000 toneladas y buques más antiguos de entre 30 y 35 años. Los propietarios registrados de esos buques poseen, por lo general, pequeñas flotas de hasta cuatro buques y parecen ser empresas ficticias o pantalla de reciente creación que figuran en la lista de operadores de buques de terceros en una jurisdicción diferente.

Envíos de carbón

Transferencias de carbón en el mar

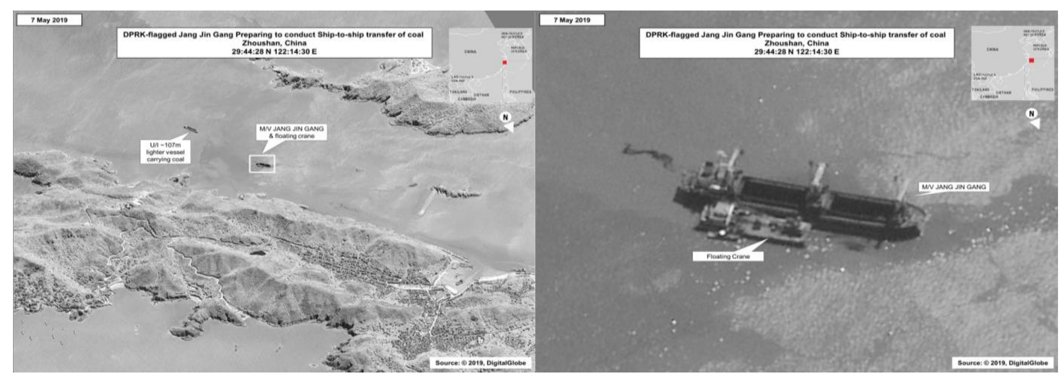
18. La República Popular Democrática de Corea sigue violando la prohibición de exportar carbón establecida en la resolución 2371 (2017). Según un Estado Miembro, se cree que ha exportado un total de 930.000 toneladas métricas de carbón a través de al menos 127 entregas[8] durante los primeros cuatro meses de 2019.

19. El Estado Miembro facilitó al Grupo imágenes de buques cargados con carbón frente a la zona portuaria de Ningbo-Zhoushan que identificó como buques asociados con la República Popular Democrática de Corea (véanse las figuras VII y VIII). China respondió que la información proporcionada por el Grupo carecía de oportunidad y

[8] El Estado Miembro que proporcionó la información calculó que el valor estimado del carbón, basado en 100 dólares por tonelada métrica, era de unos 93 millones de dólares.

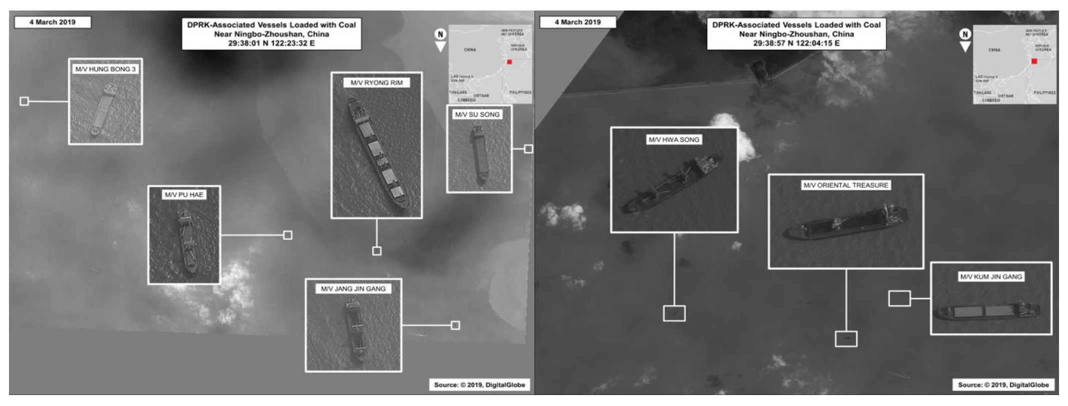
no podía dar lugar a una investigación *in situ*. La información de los buques pertinentes era ambigua y carecía de precisión, lo que no constituía una cadena completa de pruebas ni una base para una investigación ulterior (véase el anexo 6.1).

Figura VII
El Jang Jin Gang de la República Popular Democrática de Corea se prepara para realizar una transferencia de buque a buque cerca de Ningbo con la ayuda de una grúa flotante



Fuente: Estado Miembro; *Mapa*: el Grupo.

Figura VIII
Cinco buques asociados con la República Popular Democrática de Corea en la zona de Ningbo y otros tres buques asociados con el país el mismo día



Fuente: Estado Miembro; *Mapa*: el Grupo.

20. El Grupo recibió imágenes que mostraban que los buques de la República Popular Democrática de Corea Paek Yang San (núm. 9020534 de la OMI), Ka Rim Chon (núm. 8314811 de la OMI), Pho Phyong (núm. 8417962 de la OMI) y Tae Yang (núm. 8306929 de la OMI) realizaron transferencias de carbón de buque a buque a gabarras en el golfo de Tonkín entre septiembre y octubre de 2018 (véase el anexo 5) (véase la figura IX). El Estado Miembro también proporcionó imágenes de gabarras atracadas en Qisha (véase la figura X) y en una zona de fondeo alrededor del muelle de carbón (véase la figura XI). China respondió que la información proporcionada por el Grupo carecía de oportunidad y no podía dar lugar a una investigación *in situ*. La información de los buques pertinentes era ambigua y carecía de precisión, lo que no constituía una cadena completa de pruebas ni una base para una investigación ulterior; todos los buques carboneros atracados en el puerto de Qisha tenían documentos legales de importación, y el origen del carbón no era la República Popular Democrática de Corea. De hecho, la mayoría de los buques de carga

a granel tenían una forma muy similar y era imprudente establecer una asociación entre los buques que participaban en las transferencias de buque a buque y los que estaban atracados en el puerto de Qisha basándose únicamente en las imágenes de satélite (véase el anexo 6.1).

Figura IX
Transferencias de carbón de buque a buque en el golfo de Tonkín



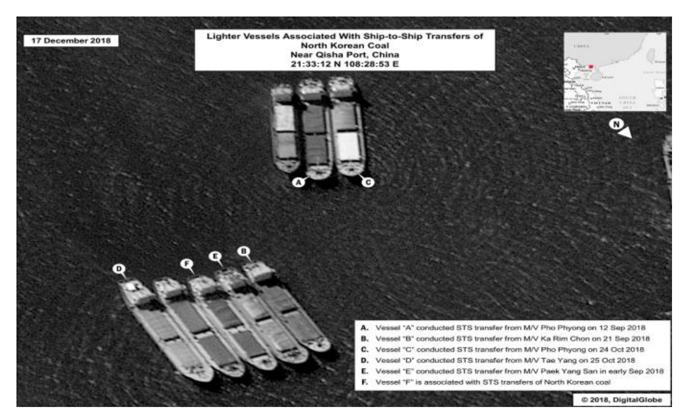
Fuente: Estado Miembro; *Mapa*: el Grupo.

Figura X
Gabarras que transportan carbón al puerto de Qisha



Fuente: Estado Miembro; *Mapa*: el Grupo.

Figura XI
Zona de anclaje específica de las gabarras



Fuente: Estado Miembro; *Mapa*: el Grupo.

Recomendaciones

21. **Dado que los buques de la República Popular Democrática de Corea utilizan gabarras para evitar hacer escala en los puertos, las autoridades portuarias deberían realizar un examen más riguroso de esos buques mediante la verificación de la documentación, incluidos los certificados de origen, los manifiestos de carga y los conocimientos de embarque, y decomisar, inspeccionar y confiscar cualquier buque del que se sospeche que transporta artículos prohibidos (resolución 2397 (2017), párr. 9).**

22. **El Grupo recomienda que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) designe a los siguientes buques de la República Popular Democrática de Corea por violar lo dispuesto en el párrafo 8 de la resolución 2371 (2017):**

a) Paek Yang San (núm. 9020534 de la OMI) por efectuar una transferencia de buque a buque el 5 de septiembre de 2018;

b) Ka Rim Chon (núm. 8314811 de la OMI) por efectuar una transferencia de buque a buque el 21 de septiembre de 2018;

c) Pho Phyong (núm. 8417962 de la OMI) por efectuar una transferencia de buque a buque el 24 de octubre de 2018;

d) Tae Yang (núm. 8306929 de la OMI) por efectuar una transferencia de buque a buque el 25 de octubre de 2018.

Investigaciones sobre el carbón de la República Popular Democrática de Corea en terceros países

23. En marzo de 2019, la República de Corea informó al Comité de que había acusado además a una persona y a dos empresas implicadas en exportaciones prohibidas de carbón a través de Kholmsk por la República Popular Democrática de Corea en 2017 (S/2019/171, párr. 37). También informó de que había presentado a seis personas y cinco entidades ante la Fiscalía sobre la base de sus investigaciones de otros dos casos de exportaciones prohibidas de carbón por la República Popular Democrática de Corea entre diciembre de 2017 y junio de 2018. Tras el trasbordo en terceros países se introdujo un total de 14.840 toneladas métricas de carbón. La República de Corea aplicó la prohibición nacional de entrada en puerto a otros buques en relación con esos casos (véase el cuadro).

Cuadro
Prohibición nacional de entrada en puerto aplicada por la República de Corea desde agosto de 2018

Nombre del buque	*Número de la OMI*	*Pabellón*	*Fecha de la prohibición de entrada en el puerto nacional*
Yu Yuan	9358694	Togo	18 de agosto de 2018
An Quan Zhou 66	8742240	Apátrida	28 de diciembre de 2018
Tai Xin	9088598	Togo	28 de diciembre de 2018
Xin Yang 688	8657809	Belice	28 de diciembre de 2018
Lucky Star	9015278	Togo	28 de diciembre de 2018
East River	9109952	Panamá	28 de febrero de 2019

Fuente: Estado Miembro, el Grupo.

Carbón de la República Popular Democrática de Corea procedente del Wise Honest

24. El Grupo siguió investigando y rastreando el cargamento ilícito de carbón transportado inicialmente a bordo del buque de pabellón de la República Popular Democrática de Corea Wise Honest (núm. 8905490 de la OMI), que había sido detenido por Indonesia el 4 de abril de 2018 por declarar falsamente que su pabellón era de Sierra Leona. Desde entonces, su capitán, Kim Chung Son, ha sido multado[9] por violar las normas de navegación y deportado de Indonesia junto con la tripulación. El Grupo también ha continuado sus investigaciones sobre la empresa Enermax, que figura como compradora del carbón a bordo del Wise Honest (véanse los párrs. 52 y 53). Según los Estados Unidos, se transmitieron más de 750.000 dólares mediante cuentas de una institución financiera estadounidense en relación con el envío de carbón a bordo del Wise Honest en marzo de 2018[10].

25. Según los Estados Unidos[10], el Wise Honest era el único buque registrado a nombre de la Korea Songi Shipping Company (para más información sobre el pago, véase el párr. 52). Los Estados Unidos informaron además de que el buque estaba controlado por la Korea Songi General Trading Corporation (también conocida como Songi Trading Company), que estaba subordinada al KPA [Ejército Popular de Corea] y que participaba en la exportación de carbón de la República Popular Democrática de Corea[10].

26. Tras una orden judicial dictada en noviembre de 2018 por el Juzgado de Distrito de Balikpapan (Indonesia)[11], el carbón fue "devuelto" al bróker indonesio, Eko Setyamoko, que había participado originalmente en el corretaje de carbón a bordo del Wise Honest. Las 26.500 toneladas métricas de carbón ilícito fueron transferidas del Wise Honest al Dong Thanh, de pabellón panameño (núm. 9180035 de la OMI). El Dong Thanh zarpó hacia el puerto malasio de Kemaman el 13 de abril de 2019 bajo instrucciones del operador Qingdao Global Shipping Co. Ltd. (véase el anexo 7), llegó el 19 de abril y se le denegó la entrada. Las autoridades de Malasia proporcionaron al Grupo documentos que demostraban que el transportista, Pt. Bara Makmur Sadayana, que también es una empresa del Sr. Setyamoko (anexo 8)[12], etiquetó falsamente el carbón como de origen indonesio (véase la figura XII)[13]. Las investigaciones del Grupo sobre las transacciones de carbón del Wise Honest revelaron que los diversos certificados de origen emitidos contenían información fraudulenta (véase el anexo 9).

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[9] La multa se fijó en 400.000.000 rupias indonesias, unos 28.500,00 dólares de los Estados Unidos.

[10] Véase el caso 1:19-cv-04210, presentado el 9 de mayo de 2019, Tribunal de Distrito de los Estados Unidos, Distrito Sur de Nueva York.

[11] Caso núm. 682/Pid.B/2018/PN.BPP, sentencia de 22 de noviembre de 2019, Tribunal de Primera Instancia de Balikpapan.

[12] S/2019/171, anexo 19, y según documentos judiciales indonesios.

[13] El Sr. Setyamoko presentó un recurso ante el tribunal para que se aprobara la venta del carbón sobre la base de que el precio del carbón estaba disminuyendo (página 3 de la sentencia núm. 682/Pid.B/2018/PN Bpp). El valor contractual era de 2.990.000 dólares.

Figura XII

Documento que afirma falsamente que el carbón es de origen indonesio

BILL OF LADING

TO BE USED WITH CHARTER PARTIES

Shipper
PT. BARA MAKMUR SADAYANA

Consignee
TO ORDER

3rd ORIGINAL

Notify address
EASTERN STEEL SDN. BHD.LOT 6293 AND 6294,
KAWASAN PERINDUSTRIAN TELUK KALONG,
MUKIM TELUK KALONG,
24000 KEMAMAN TERENGGANU DARUL IMAN, MALAYSIA

Vessel
MV. DONG THANH VOY.03-19

Port of loading
TELUK BALIKPAPAN, INDONESIA

Port of discharge
KEMAMAN PORT, MALAYSIA

Shipper's description of goods

SAID TO WEIGHT
26,400 MTS

INDONESIAN COAL

FREIGHT PAYABLE AS PER CHARTER PARTY

Fuente: el Grupo.

27. La decisión del Tribunal de Distrito de liberar el carbón ilícito y aprobar su reexportación por el mismo bróker que había facilitado la transacción ilegal demuestra una vez más la clara necesidad de que los Estados Miembros den prioridad a la incorporación de las resoluciones del Consejo de Seguridad en el derecho nacional. La falta de un marco jurídico de esa índole permite a la República Popular Democrática de Corea y a los agentes cómplices aprovechar las deficiencias. Indonesia ha iniciado un examen de su marco jurídico para garantizar el cumplimiento de las obligaciones que le incumben en virtud de las resoluciones. Este caso también pone de relieve la constante participación de las embajadas de la República Popular Democrática de Corea y sus diplomáticos en la elusión de las sanciones[14].

28. El fletador del Dong Thanh informó al Grupo de que, como el buque transportaba carbón del Wise Honest, no pudo entrar en puerto y había zarpado hacia Vung Tau (Viet Nam), a la espera de una decisión sobre la disposición de su carga (resolución 2937 (2017), párr. 9). Viet Nam confirmó que el buque llegó a sus aguas interiores en la zona de Ba Ria-Vung Tau el 6 de junio de 2019, y que su autoridad aduanera había interceptado el buque y estaba investigando el caso. El Grupo encontró un vínculo entre el operador del buque Dong Thanh, Qingdao Global Shipping Co. Ltd., ahora conocido como Qingdao Global Shipping Group Ltd.[15], y el Wise Honest. En 2018 se hizo un pago a Qingdao Global desde una cuenta utilizada para financiar las transacciones del Wise Honest. Qingdao Global dijo al Grupo que el pago era como compensación por no haber entregado el carbón del "White Honest" [sic] a su buque Ken Orchid (núm. 9598153 de la OMI). Los documentos suministrados por Qingdao Global muestran que se contrató el buque Ken Orchid para

[14] Párrafo 13 de la resolución 2270 (2016) y párrafo 17 de la resolución 2321 (2016). Véase también S/2019/171, párr. 36.

[15] Qingdao Global informó al Grupo de que sabía que la carga transportada a bordo del Dong Thanh procedía del Wise Honest, pero que su exportación era legal bajo orden judicial y podía ser tratada como carga de Indonesia para su exportación en lugar de carga de origen ruso, y en aquel entonces no tenía ninguna información de que dicha carga fuera sospechosa de sanciones bajo la supervisión de las Naciones Unidas.

transbordar el carbón a bordo del Wise Honest a Pohang (República de Corea) (véase el anexo 10). Los detalles del documento coinciden con el contenido de un contrato en el que figura Enermax como su consignatario[16].

Recomendaciones

29. **El Grupo recomienda que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) designe al capitán del Wise Honest, Kim Chung Son, su propietario Korea Songi Shipping Company (número 5607043 de la OMI), y Korea Songi General Trading Corporation por su papel en la violación de las sanciones**.

Actividades pesqueras prohibidas

30. Dos Estados Miembros facilitaron al Grupo información que indicaba que continuaba la transferencia de derechos de pesca, e incluía una imagen de un buque pesquero de un tercer país que mostraba una placa de matrícula del permiso de pesca expedida por la República Popular Democrática de Corea (véase la figura XIII).

Figura XIII
Buque pesquero con el nombre "琼东渔 12122" y matrícula del permiso de pesca de la República Popular Democrática de Corea



Fuente: Estado Miembro.

31. Un Estado Miembro también informó de que había encontrado embarcaciones pesqueras de un tercer país rumbo hacia las zonas de pesca de la República Popular Democrática de Corea sin matrículas del permiso de pesca. En comunicación con esos buques, las tripulaciones respondieron que ya habían enviado solicitudes de certificados de derechos de pesca a la República Popular Democrática de Corea y que recibirían los permisos a su llegada a las zonas de pesca del país. Las tripulaciones declararon también que esos permisos les serían entregados en el mar por un buque de mando del tercer país, que había recogido previamente las matrículas de los permisos en el puerto de Wonsan. También afirmaron que, en ocasiones, las lanchas patrulleras de la República Popular Democrática de Corea entregarían certificados de pesca directamente a sus buques, posiblemente para evitar la vigilancia internacional. A las preguntas del Grupo, China respondió que las autoridades chinas habían prohibido las operaciones de pesca oceánica en las zonas marítimas de la República Popular Democrática de Corea y que el buque 琼东渔 12122 no era un buque pesquero registrado legalmente en China. El Estado del pabellón y la identificación

[16] Los documentos muestran que el volumen y el valor del carbón que se prevé transferir del Wise Honest al Ken Orchid coinciden con las cifras del contrato entre Enermax y Hong Kong Nova International Company (S/2019/171, anexo 17).

del buque no podía verificarse simplemente basándose en el nombre pintado del buque (véase el anexo 6.2).

III. Embargos, entidades y personas designadas

32. Aunque el Grupo observa que los casos de cooperación militar parecen haber disminuido a medida que más Estados Miembros han cumplido las resoluciones, observa también que nacionales de la República Popular Democrática de Corea y particulares de terceros países continúan realizando actividades ilícitas en violación de las resoluciones.

33. El Grupo aún no ha recibido respuestas a sus solicitudes de información sobre cooperación militar de países como Eritrea, Libia, Myanmar, la República Democrática del Congo, la República Unida de Tanzanía, Uganda y el Yemen.

República Islámica del Irán

34. En cuanto a las investigaciones en curso sobre la cooperación militar con la República Popular Democrática de Corea (S/2019/171, párr. 72), un Estado Miembro indicó al Grupo que dos entidades designadas, KOMID y Saeng Pil, mantienen oficinas activas en la República Islámica del Irán y que al menos tres representantes de KOMID permanecen en ese país bajo cobertura diplomática. El 30 de julio de 2019, la República Islámica del Irán respondió al Grupo Especial rechazando las indicaciones del Estado Miembro (véase el anexo 11).

Namibia

35. Un Estado Miembro informó al Grupo de una posible visita de Kim Tong Chol[17], exrepresentante de "M.O.P. Architectural & Technical Service (NAMIBIA)", que quería vender sus activos en Namibia[18]. Namibia respondió al Grupo que, tras su partida en septiembre de 2017, el Sr. Kim regresó a Namibia dos veces con un visado de turista en un nuevo pasaporte de servicio antes de salir en mayo de 2019 (véase el anexo 12).

Recomendación

36. **Los Estados Miembros deben mejorar el control de la reentrada en su territorio de personas que trabajaban para entidades designadas, utilizando registros anteriores y datos biométricos**.

Rwanda

37. Un Estado Miembro indicó que nacionales de la República Popular Democrática de Corea que se encuentran en Rwanda están adiestrando a fuerzas especiales en un campamento militar de Gabiro. El Grupo ha solicitado información a Rwanda.

República Árabe Siria

38. En cuanto a sus investigaciones sobre las actividades de nacionales de la República Popular Democrática de Corea en la República Árabe Siria, así como sobre los intentos de intermediarios de armas sirios de vender equipo militar originario de la República Popular Democrática de Corea en Oriente Medio y África (S/2019/171, párrs. 86 a 92), el Grupo sigue recibiendo información de Estados Miembros de que

[17] Fecha de nacimiento: 7 de agosto de 1968.

[18] Filial namibia de Mansudae Overseas Project Group of Companies (S/2018/171, párr. 108; S/2019/171, párr. 79).

continúan esas actividades. El Grupo solo recibió una respuesta general de la República Árabe Siria en enero de 2019, pero no información sustantiva.

Uganda

39. Estados Miembros indicaron la presencia de KOMID, que continuaba la capacitación especializada y que trabajadores de la República Popular Democrática de Corea siguen en el país (S/2019/171, párrs. 93 y 94). El Grupo está esperando las respuestas de Uganda a múltiples solicitudes de información.

Incautación de pinturas de Mansudae

40. En enero de 2019, el Ministerio de Unificación de la República de Corea declaró que su servicio de aduanas del aeropuerto de Incheon se había incautado de pinturas de Mansudae Art Studio adquiridas por algunos miembros de la Federación Mundial de la Asociación Coreana de Comercio durante su visita de negocios a Pyongyang en noviembre de 2018. A las preguntas del Grupo, la República de Corea respondió que, de 19 pinturas, se habían incautado 10 y 9 habían sido transferidas a terceros países.

Departamento de Industria de Municiones (MID) e informáticos

41. Un Estado Miembro informó al Grupo de que el Departamento de la Industria de las Municiones de la República Popular Democrática de Corea, entidad designada por su función de supervisión del desarrollo de los programas nuclear y de misiles balísticos del país (KPe.028), está utilizando a sus empresas comerciales subordinadas (véase el anexo 13) para colocar a informáticos como programadores y desarrolladores de software en el extranjero, a fin de obtener divisas.

42. Según el Estado Miembro, cientos de informáticos están desplegados en Europa, Asia, África y Oriente Medio, ganan un promedio de 3.000 a 5.000 dólares al mes y pagan una parte importante de sus ingresos a las entidades de la República Popular Democrática de Corea que controlan a los informáticos. Para ocultar su nacionalidad e identidad, emplean un modelo operativo en el que un ciudadano local sirve de jefe nominal de una empresa que, de hecho, está dirigida por desarrolladores de la República Popular Democrática de Corea que, a su vez, pagan a la empresa por servir de tapadera. Esos trabajadores también utilizan sitios web extranjeros para obtener trabajo por cuenta propia al tiempo que disfrazan su identidad. Además de trabajo informático no malicioso, los informáticos de la República Popular Democrática de Corea realizan trabajos ilícitos que entrañan el robo de activos como cibermonedas para ayudar a ciberdelincuentes de la República Popular Democrática de Corea a evadir las sanciones financieras (véanse los párrs. 57 a 68).

Adquisiciones para el programa nuclear: transductores de presión

43. El Grupo encontró que otros minoristas anunciaban transductores de presión con apariencia y números de modelo muy similares a los productos investigados y denunciados en el último informe del Grupo (S/2019/171, párr. 65). Cuando los productos no se exportan directamente, es posible que no se apliquen los controles de usuario final del fabricante. El Grupo sigue investigando las posibles vías de adquisición.

Artículos de lujo

44. La República Popular Democrática de Corea ha seguido importando artículos de lujo en violación de las sanciones.

45. Se observó una limusina Mercedes-Maybach clase S, primero en Pyongyang y luego en Hanói, durante la cumbre entre los Estados Unidos y la República Popular Democrática de Corea celebrada en febrero de 2019. La empresa Daimler AG confirmó al Grupo que las imágenes eran de vehículos fabricados por la empresa, con modificaciones realizadas por terceros. Daimler no pudo determinar la fecha de producción o venta sin tener más información y dijo que había cumplido con todos los embargos aplicables pertinentes y no mantenía relaciones comerciales con la República Popular Democrática de Corea.

46. En cuanto a los vehículos Mercedes-Maybach clase S, los vehículos Mercedes-Benz S-600 y al menos un Toyota Land Cruiser transferidos a Viet Nam para la cumbre entre los Estados Unidos y la República Popular Democrática de Corea celebrada en Hanói, Viet Nam respondió que su solicitud de que la delegación de la República Popular Democrática de Corea entrara en Viet Nam para asistir a la cumbre había sido aprobada por el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006). Viet Nam indicó que había solicitado información en varias ocasiones sobre el número y el tipo de vehículos introducidos en el país, pero que la República Popular Democrática de Corea nunca había facilitado esa información alegando motivos de seguridad. En un reciente informe de investigación[19] se subrayó que dos vehículos blindados Mercedes-Maybach S-600 procedían de Alemania y fueron enviados a través de varios países antes de ser transportados posiblemente a la República Popular Democrática de Corea en octubre de 2018.

47. Un Estado Miembro informó al Grupo de la incautación de dos envíos de vodka, clasificados como artículos de lujo en ese Estado Miembro, cuyo destino final era la República Popular Democrática de Corea. Véanse las conclusiones preliminares del Grupo en el anexo 14.

48. El Grupo obtuvo información de que los grandes almacenes Taesong de Pyongyang, que se reabrieron en abril de 2019 tras su renovación y venden artículos de lujo, forman parte del Grupo Taesong, que incluye a las entidades designadas Korea Taesong Trading Company (KPe.041) y Korea Daesong Bank (KPe.035), y están bajo la dirección de la Oficina 39 (KPe.030), que anteriormente estaban vinculadas con la proliferación y las adquisiciones de la República Popular Democrática de Corea para sus programas de misiles balísticos.

IV. Finanzas

49. Las investigaciones del Grupo muestran que la República Popular Democrática de Corea sigue teniendo acceso al sistema financiero internacional, que sus redes siguen eludiendo las sanciones financieras de manera que resulta difícil detectar las actividades ilícitas y que los Estados Miembros siguen sin adoptar las medidas exigidas por las resoluciones del Consejo de Seguridad, entre ellas la expulsión de los representantes bancarios de la República Popular Democrática de Corea que operan en el extranjero. El creciente alcance y sofisticación de los ciberataques de la República Popular Democrática de Corea para robar fondos de instituciones financieras y plataformas de cambio de cibermonedas también permite al país eludir las sanciones financieras y generar ingresos de formas más difíciles de rastrear y sujetas a una menor supervisión y reglamentación por parte de los gobiernos. Un Estado Miembro informó al Grupo de que la proporción de los ingresos recibidos con los ataques de ciberdelincuentes de la República Popular Democrática de Corea había aumentado en comparación con los ingresos generados por otras actividades.

[19] Véase C4ADS, *Lux & Loaded: Exposing North Korea's Strategic Procurement Networks* (julio de 2019).

Representantes de bancos de la República Popular Democrática de Corea en el extranjero

50. El Grupo siguió investigando a más de 30 representantes de instituciones financieras de la República Popular Democrática de Corea que operan en el extranjero, en particular de Tanchon Commercial Bank, Korea Kumgang Bank, el Banco de Comercio Exterior, Cheil Credit Bank, Daesong Bank, Ilsim International Bank, Bank of East Land, Daedong Credit Bank, Unification Development Bank y Ryugyong Commercial Bank. El Grupo determinó que esos bancos operaban a través de representantes en China, Indonesia (véase el párr. 52), la Federación de Rusia, Libia, la República Árabe Siria y los Emiratos Árabes Unidos (véanse los anexos 15 y 16, que contienen respuestas recibidas de los Estados Miembros pertinentes). El Grupo señala que todos los Estados Miembros mencionados deben expulsar a todas las personas que actúen en nombre de una institución financiera de la República Popular Democrática de Corea de conformidad con el párrafo 33 de la resolución 2321 (2016).

51. Los representantes bancarios de la República Popular Democrática de Corea en el extranjero siguen desempeñando un papel activo en las redes de intermediación para las transferencias de buque a buque y otras infracciones conexas utilizando brókers de terceros países y otras técnicas de evasión financiera. El Grupo había investigado anteriormente a uno de esos representantes por financiación ilícita para tráfico de armas y material conexo[20].

Arreglos financieros y contractuales para las transferencias de carbón y petróleo

52. El Grupo investigó las técnicas de evasión utilizadas en los arreglos y transacciones contractuales y financieros, incluida la transferencia del carbón a bordo del Wise Honest. Los gastos de transbordo de la transferencia fueron pagados por un representante de un banco extranjero de la República Popular Democrática de Corea al Jinmyong Joint Bank, que organizó una transferencia de 760.000 dólares a través de Huitong Minerals y la canalizó a través de una institución financiera de los Estados Unidos (véase el anexo 17). Se observaron técnicas de evasión similares en los acuerdos financieros asociados con la venta del carbón a bordo del buque por valor de 2.990.000 dólares, que era el objeto de un contrato entre la empresa Enermax de la República de Corea (como destinatario final) y la empresa Nova International Trade de Hong Kong (como vendedor). Si bien Enermax dijo al Grupo que había acordado comprar "carbón indonesio" a un "bróker local en Indonesia", la empresa no pudo justificar esas afirmaciones, afirmando que se habían "borrado" todas las comunicaciones por correo electrónico pertinentes[21]. Además, Enermax no encontró nada sospechoso en que un "bróker local indonesio" emitiera todos los contratos, la documentación y la financiación para adquirir carbón a través de una empresa con sede en Hong Kong especializada en un área completamente diferente (venta de maquinaria para la fabricación de cigarrillos). Enermax no hizo ninguna diligencia debida antes de firmar un contrato que le exigía transferir 3 millones de dólares (una transacción sin precedentes para la empresa) a la cuenta bancaria en Hong Kong de

[20] Por ejemplo, Ko Il Hwan, del Korea Daesong Bank. Véanse S/2019/171, párr. 21 y anexo 32 y S/2017/150, párrs. 225, 227 y 230.

[21] El Director General de Enermax no respondió a las preguntas del Grupo sobre cómo se había enterado del acuerdo y se había puesto en contacto con el bróker local de Indonesia para concertarlo (hacía años que no había estado en Indonesia). Enermax mantiene un perfil de empresa extremadamente bajo para una operación de esa magnitud. No tiene un sitio web de la empresa y no ha presentado sus cifras anuales de ventas desde 2014.

la empresa Nova International Trade de Hong Kong, y no pudo identificar al representante que firmó el contrato para la empresa.

53. Solo siete meses más tarde, Enermax fue incluida de nuevo como consignataria en un conocimiento de embarque de 2.588 toneladas métricas de carbón desde Nakhodka hasta el puerto de Pohang el 1 de noviembre de 2018 a bordo del DN5505 en el viaje de regreso, tras transportar dos vehículos blindados Mercedes Benz que, según se informa, terminaron en la República Popular Democrática de Corea en violación de las sanciones[22]. El consignador de los vehículos blindados era el mismo que el del carbón comprado por Enermax, Do Young Shipping, una empresa pantalla de las Islas Marshall que también es propietaria y gestora del DN5505. En cuanto al origen del carbón, la República de Corea detuvo al DN5505 en Pohang por importar carbón de la República Popular Democrática de Corea desde Nakhodka en febrero, e hizo referencia a la importación de carbón por el DN5505 en noviembre de 2018 (véanse los anexos 18 y 19). Al igual que su explicación sobre la compra de “carbón indonesio”, Enermax afirmó en una entrevista de prensa que había creído a otro bróker local que afirmó que el carbón era originario de la Federación de Rusia[23]. El Grupo no recibió respuestas de Enermax a sus preguntas más recientes sobre su participación en casos de importación de carbón procedente de la República Popular Democrática de Corea en la República de Corea.

Operaciones financieras de entidades designadas y diplomáticos de la República Popular Democrática de Corea[24]

54. Respecto a las actividades financieras en curso y los activos de agentes de la Oficina General de Reconocimiento, entre ellos Kim Sou Gwang (también conocido como Kim Sou-gwang, Son-kwang KIM, KIM Son-gwang, KIM Su-kwang), la Sra. Kim Su Gyong (alias Kim Su Kyong), Kim Yong Nam y los miembros de sus familias, el Grupo investigó el pago de ingresos por el arrendamiento de apartamentos propiedad de Kim Sou Gwang en París y Roma. Aunque que los ingresos por el arrendamiento de su apartamento en París han sido congelados, se permitió a la empresa inmobiliaria transferir parte de esos ingresos para el pago de impuestos (pero no al propio Kim Sou Gwang). Los pagos se transfirieron a un ciudadano francés residente en China que trabajaba con una empresa china. Información posterior reveló que ese ciudadano francés está conectado con Kim y que es probable que aún le lleguen pagos. Francia está investigando el caso a fin de garantizar la aplicación efectiva de la congelación de activos. Este caso pone de relieve la importancia de que los Estados Miembros congelen los activos de todas las personas y entidades que trabajan en nombre de personas y entidades designadas.

[22] C4ADS, *Lux and Loaded: Exposing North Korea’s Strategic Procurement Networks* (16 julio de 2019), págs. 41 y 42.

[23] Véase Edward Wong y Christoph Koetti, “How North Korea’s leader gets his luxury cars”, *New York Times*, 16 de julio de 2019. En otra entrevista sobre el caso, un empleado de Enermax intentó defender a Do Young Shipping y al DN5505 argumentando que no era factible que el buque transportara vehículos basándose en su estructura y diseño, que él había visto en persona. Véase “Vessel seized by South Korea exported armored limos, imported coal: report”, *NK Pro*, 16 de julio de 2019.

[24] Los informes anteriores del Grupo sobre esta cuestión figuran en los documentos S/2019/171, párr. 126; S/2018/171, párrs. 169 a 172; y S/2017/742, párr. 50.

55. En cuanto al apartamento de Kim Sou Gwang en Roma[25], Italia indicó al Grupo en julio de 2018 que los ingresos mensuales por concepto de alquiler de 850 euros se estaban transfiriendo a una cuenta mantenida por Kim en una institución financiera italiana, que tenía entonces un saldo de 4.071,16 euros. Italia indicó también que su Ministerio de Finanzas había informado al arrendatario de que ya no debía pagar el alquiler a Kim, sino a un administrador identificado y nombrado por la Oficina Estatal de la Propiedad que gestionaría la propiedad.

56. Kim Chol Yong, un diplomático de la República Popular Democrática de Corea que intentó enviar cuatro generadores a la República Popular Democrática de Corea a través de Asia Oriental en 2016 (interceptados por los Países Bajos), ha servido como diplomático de la República Popular Democrática de Corea en Francia durante muchos años y ha abierto múltiples cuentas bancarias en la Unión Europea utilizando numerosas técnicas de evasión (S/2019/171, párrs. 120 a 123). Si bien Francia ordenó el cierre de sus cuentas junto con las de otros diplomáticos de la República Popular Democrática de Corea de conformidad con el párrafo 16 de la resolución 2321 (2016), el Grupo tuvo conocimiento de actividades comerciales recientes de Kim en nombre de entidades de la República Popular Democrática de Corea e hizo averiguaciones con Francia[26]. Además, Austria respondió a la pregunta del Grupo acerca de su investigación sobre los intentos de la Embajada de la República Popular Democrática de Corea en Viena de sacar fondos de una cuenta congelada de la Korea Ungum Corporation para pagar un sueldo pendiente a una persona que supuestamente trabajaba para esa empresa. Austria confirmó que esas solicitudes fueron rechazadas, que el presunto empleado de la empresa era un funcionario administrativo y técnico acreditado de la Embajada y que cualquier trabajo de ese tipo de esa persona infringiría las resoluciones y el artículo 42 de la Convención de Viena sobre Relaciones Consulares (véase el anexo 20).

Evasión de las sanciones financieras por medios cibernéticos

57. El Grupo continuó sus investigaciones sobre la evasión de las sanciones financieras por parte de la República Popular Democrática de Corea por medios cibernéticos para forzar ilícitamente la transferencia de fondos de instituciones financieras y de plataformas de cambio de cibermonedas, blanquear los ingresos robados y obtener ingresos, ya sea en monedas fiat o cibermonedas[27]. Sobre la base de la información proporcionada por Estados Miembros e informes de fuente abierta, el Grupo está investigando al menos 35 casos comunicados de agentes de la República Popular Democrática de Corea que atacan a instituciones financieras y plataformas de cambio de cibermonedas y hacen minería de cibermonedas para obtener divisas, entre otros en los siguientes Estados Miembros: Bangladesh (2 casos), Chile (2), Costa Rica (1), Eslovenia (1), Gambia (1), Guatemala (1), India (3), Kuwait (1), Liberia (1), Malasia (1), Malta (1), Nigeria (1), Polonia (1), República de Corea (10),

[25] Dirección: Via Mar della Cina 179/ Viale della Grande Muraglia Cinese 484, Roma. El apartamento está alquilado desde el 15 de noviembre de 2016.

[26] El Grupo acoge con beneplácito la información proporcionada por Francia de que había estado manteniendo contactos con sus instituciones financieras sobre los riesgos relacionados con los diplomáticos de la República Popular Democrática de Corea, incluido el intercambio de listas de diplomáticos acreditados de la República Popular Democrática de Corea en Francia y otros países de la Unión Europea, de conformidad con la recomendación del Grupo a los Estados Miembros a este respecto (S/2019/171, párr. 161).

[27] El acto de generar ingresos con herramientas cibernéticas y ofuscar y blanquear por medios cibernéticos constituye una evasión de sanciones. En relación con la anterior información del Grupo, véase S/2019/171, párrs. 109 a 118. Según un Estado Miembro, agentes de la República Popular Democrática de Corea utilizan el ciberespacio como medio asimétrico para robar tecnología militar en violación del embargo de armas, realizar operaciones para conseguir ingresos, hacer chantaje cibernético y campañas de extorsión, hackear por dinero y transferir dinero.

Sudáfrica (1), Túnez (1), y Viet Nam (1) (véase el anexo 21)[28]. El Grupo está investigando esos ataques como intentos de ciberagentes de la República Popular Democrática de Corea de violar las sanciones impuestas en el párrafo 8 d) de la resolución 1718 (2006), los párrafos 8 y 11 de la resolución 2094 (2013) y el párrafo 32 de la resolución 2270 (2016). Las investigaciones del Grupo muestran un marcado aumento del alcance y la sofisticación de actividades cibernéticas que incluyen ataques en violación de las sanciones financieras. Según algunas estimaciones, la República Popular Democrática de Corea habría conseguido ilegalmente hasta 2.000 millones de dólares.

58. Las principales actividades cibernéticas de agentes de la República Popular Democrática de Corea han incluido las siguientes: ataques a través de la red de la Sociedad para las Telecomunicaciones Financieras Interbancarias Internacionales (SWIFT) (con acceso a computadoras de empleados bancarios e infraestructura bancaria para enviar mensajes fraudulentos y destruir pruebas), robo de cibermonedas (a través de ataques tanto a plataformas de cambio como a los usuarios) y minería de cibermonedas como fuente de fondos para una rama profesional de las fuerzas armadas. En un ejemplo notable, ciberagentes de la República Popular Democrática de Corea accedieron a la infraestructura que gestionaba toda la red de cajeros automáticos de un Estado Miembro para instalar programas maliciosos que modificaban el procesamiento de las transacciones a fin de forzar 10.000 retiradas de efectivo a personas que trabajaban para la República Popular Democrática de Corea o en su nombre en más de 20 países en cinco horas[29]. Esa operación requirió un gran número de personas sobre el terreno, lo que sugiere una amplia coordinación con nacionales de la República Popular Democrática de Corea que trabajan en el extranjero y una posible cooperación con la delincuencia organizada.

59. En cuanto a las divisas obtenidas mediante ciberataques, según un Estado Miembro esas actividades contribuyen al programa de armas de destrucción en masa de la República Popular Democrática de Corea. Esos ataques suponen un bajo riesgo y un alto rendimiento, y a menudo requieren recursos mínimos (por ejemplo, una computadora portátil y acceso a Internet)[30]. Ese Estado Miembro indicó que la creciente sofisticación de los ataques, junto con los avances de la tecnología mundial y la digitalización, dan lugar a un aumento de las superficies de ataque y a una selección cada vez mayor de objetivos para esos agentes, lo que conduce a un aumento de los países y sectores vulnerables, ya que la ciberdefensa nunca es absoluta.

60. El Grupo había establecido previamente la función de la Oficina General de Reconocimiento en los ciberataques de la República Popular Democrática de Corea (S/2019/171, párrs. 109 a 118), lo que fue confirmado por un Estado Miembro que afirmó que muchos de los ciberagentes de la República Popular Democrática de Corea están subordinados a la Oficina General de Reconocimiento. Ese Estado Miembro añadió que la República Popular Democrática de Corea tiene un elaborado proceso de selección para sus ciberunidades, en el que se recluta al personal a una edad muy

[28] Las respuestas de los Estados Miembros a las investigaciones del Grupo hasta la fecha figuran en los anexos 20 y 23. El Grupo ha solicitado que todos los Estados Miembros pertinentes faciliten información sobre los resultados de sus investigaciones, en particular información técnica sobre las tácticas utilizadas por los atacantes, las modalidades de ataque, la atribución, la información sobre otros ciberataques atribuibles a la República Popular Democrática de Corea o realizados de manera similar, o cualquier medida adoptada para hacer frente a los ataques y prevenir que en el futuro se produzcan ese tipo de ataques.

[29] Véase “FASTCash: How the Lazarus Group is emptying millions from ATMs”, Symantec, 2 de octubre de 2018. Disponible www.symantec.com/blogs/threat-intelligence/fastcash-lazarus-atm-malware.

[30] Aunque las posibilidades de ser detectado y castigado son bajas, el beneficio potencial es alto. Los procesos de investigación y atribución son complejos, y el riesgo de represalias es bajo, ya que la República Popular Democrática de Corea tiene un acceso limitado a Internet.

temprana y recibe formación especializada, en su mayoría impartida por los servicios militares y secretos. El Grupo observa que diversos Estados Miembros y empresas emplean sus propias convenciones sobre los nombres referidos a las amenazas persistentes avanzadas vinculadas a la República Popular Democrática de Corea[31].

61. Un Estado Miembro destacó que los ataques de agentes de la República Popular Democrática de Corea también demuestran una creciente sofisticación de la ingeniería social. En un ataque contra Redbanc, una red interbancaria en Chile, hackers de la República Popular Democrática de Corea se dirigieron a un empleado a través de LinkedIn ofreciéndole trabajo, seguido de una entrevista completa por Skype en español para generar su confianza antes de pedirle que descargara un programa malicioso[32]. Para más información sobre las modalidades y los métodos de ataque, véase el anexo 22.

62. Los ciberagentes de la República Popular Democrática de Corea roban cibermonedas, las utilizan para blanquear los ingresos procedentes de la evasión de sanciones financieras y hacen operaciones de minería de cibermonedas mediante el criptosecuestro de computadoras con el fin de obtener ingresos. Según un Estado Miembro, los ataques en cibermonedas permiten a la República Popular Democrática de Corea utilizar más fácilmente el producto de sus ataques en el extranjero. Para ocultar sus actividades, los atacantes utilizan una versión digital de la estratificación en la que crean miles de transacciones en tiempo real a través de monederos de cibermonedas de un solo uso. Según ese Estado Miembro, los fondos robados tras un ataque en 2018 se transfirieron a través de al menos 5.000 transacciones separadas y se enviaron a varios países antes de su conversión final a monedas fiat, lo que dificultó en gran medida el seguimiento de los fondos.

63. Otro Estado Miembro informó al Grupo de que la República Popular Democrática de Corea ataca en su mayor parte las plataformas de cambio de cibermoneda de la República de Corea desde el interior de la República Popular Democrática de Corea. Aunque los ciberataques de la República Popular Democrática de Corea a objetivos de la República de Corea han aumentado en número, sofisticación y alcance desde 2008[33], incluido un claro cambio en 2016 hacia ataques centrados en la generación de ingresos financieros, en 2019 los ciberagentes de la República Popular Democrática de Corea han pasado a centrarse en las plataformas de cambio de cibermonedas. Algunas plataformas han sufrido varios ataques. Al parecer, Bithumb fue atacada por ciberagentes de la República Popular Democrática de Corea al menos cuatro veces. Los dos primeros ataques, en febrero y julio de 2017, provocaron pérdidas de unos 7 millones de dólares cada uno, y los ataques subsiguientes de junio de 2018 y marzo de 2019 provocaron pérdidas de 31 millones de dólares y 20 millones de dólares, respectivamente, lo que muestra el aumento de la capacidad y la determinación de los ciberagentes de la República Popular Democrática de Corea. Del mismo modo, Youbit (antes Yapizon) sufrió múltiples ataques que supusieron una pérdida de 4,8 millones de dólares en abril de 2017 y después del 17 % de sus activos totales en diciembre de 2017, lo que obligó al cierre de la plataforma. Esos ataques, junto con un ataque a UpBit el 28 de mayo de 2019, utilizaron herramientas, códigos y vectores de ataque (entre ellos ataques de phishing y de “abrevadero”) similares a los utilizados en ciberataques anteriores contra

[31] Estos incluyen APT 37, APT 38, Hidden Cobra, el Grupo Lazarus, el Grupo Reaper, Labyrinth Chollima, Stardust Chollima, Velvet Chollima, el Grupo Kimsuky, Lab 110 y Bureau 121.

[32] Véase “Así fue el intento de ciberataque a Redbanc en diciembre”, *TrendTIC*, 10 de enero de 2019.

[33] Desde 2008, la República de Corea ha sido objeto de docenas de ataques por parte de cibernautas de la República Popular Democrática de Corea contra diversos objetivos, entre ellos bancos, objetivos gubernamentales y militares, centrales eléctricas, empresas y medios de comunicación.

objetivos de seguridad y defensa atribuidos a la República Popular Democrática de Corea[34]. Además de la República de Corea, el Grupo investigó los ataques de la República Popular Democrática de Corea contra plataformas de cambio de cibermonedas en otros cinco países (véase el anexo 21 B).

64. Respecto al blanqueo del producto de los ataques con cibermonedas, los ataques mundiales del programa secuestrador WannaCry en mayo de 2017, que afectaron a más de 200.000 computadoras en 150 países, exigieron el pago de rescates en la cibermoneda bitcóin. Una investigación de un Estado Miembro descubrió que la cibermoneda obtenida a través del programa malicioso WannaCry se había blanqueado a través de múltiples monedas virtuales y múltiples jurisdicciones para ocultar las transacciones.

65. Los pagos del rescate en bitcoines realizados por las víctimas de WannaCry se transfirieron de un monedero en bitcoines a través de plataformas de cambio de cibermonedas y finalmente se convirtieron a monero, otra cibermoneda, mediante una plataforma de cambio de cibermonedas con sede en Suiza llamada ShapeShift[35]. Monero es una moneda virtual con más anonimato. y por tanto más difícil de rastrear, que las cibermonedas estándar como bitcóin, litecóin o ethereum, lo que prolonga la atribución. Las ganancias del tercer ataque a Bithumb en junio de 2018 se transfirieron a través de YoBit[36]. Para agosto de 2018, menos de dos meses después del ataque, los fondos se enviaron a YoBit en una compleja serie de cientos de transacciones con el objetivo de convertir y cobrar la totalidad de la cibermoneda robada (en lugar de gastar la cibermoneda adquirida directamente en bienes y servicios). Esos casos muestran una clara evolución respecto al ciberataque anterior de la República Popular Democrática de Corea contra los clientes en línea de un centro comercial de la República de Corea, Interpark, que fue diseñado para generar divisas.

66. El Grupo observa que, además de los ciberataques de la República Popular Democrática de Corea contra plataformas de cambio de cibermoneda y contra usuarios individuales, los cibernautas de la República Popular Democrática de Corea también han participado en la minería de cibermonedas. Un Estado Miembro informó al Grupo de que una rama profesional del ejército de la República Popular Democrática de Corea se dedicaba a la minería de cibermonedas. Un informe de fuente abierta señalaba un aumento significativo de la minería de bitcóin y monero en la República Popular Democrática de Corea, que atribuyó a las élites y a otros con acceso a Internet en el país[37]. Dado el aumento del anonimato de las cibermonedas, las cibermonedas recién extraídas pueden utilizarse para facilitar las actividades de evasión de sanciones.

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[34] Esto incluyó el ataque de la Operación Fake Striker llevado a cabo a principios de mayo y un ataque el 7 de enero de 2019 contra 77 periodistas que previamente habían tenido contacto con el Ministerio de Unificación.

[35] Véase Thomas Brewster. "WannaCry hackers are using this Swiss company to launder $142,000 Bitcoin ransoms", *Forbes,* 3 de agosto de 2017.

[36] El objetivo de los hackers parece haber sido convertir y cobrar la totalidad de la gran cantidad de cibermonedas que habían robado, en lugar de gastar la cibermoneda adquirida directamente en bienes y servicios. Véase David Carlisle y Kayla Izenman, "Closing the crypto gap", RUSI *Occasional Papers*, 14 de abril de 2019. Véase también Thomas Brewster. "WannaCry hackers are using this Swiss company to launder $142,000 Bitcoin ransoms", *Forbes*, 3 de agosto de 2017. Las ganancias obtenidas con WannaCry también se transfirieron a través de ShapeShift (Suiza).

[37] Véase Priscilla Moriuchi, "North Korea's ruling elite adapt Internet behavior to foreign scrutiny", *Recorded Future,* 25 de abril de 2018.

67. El Grupo también investigó presuntos casos de criptosecuestro en los que se utilizan programas maliciosos para infectar una computadora a fin de utilizar ilícitamente sus recursos para generar cibermonedas. En un informe se analizó un programa malicioso diseñado para minar la cibermoneda monero y enviar la moneda minada a los servidores de la Universidad Kim Il Sung de Pyongyang[38]. Por otra parte, según otro informe, el Instituto de Seguridad Financiera de la República de Corea atribuyó específicamente a hackers de la República Popular Democrática de Corea un criptosecuestro similar de la computadora de una empresa de la República de Corea[39]. Según el informe, se cree que el programa malicioso ha generado monero por valor de unos 25.000 dólares para los hackers que introdujeron el programa. Dado el creciente anonimato de monero, es difícil determinar el monto total de ingresos que la República Popular Democrática de Corea puede estar obteniendo con esos ataques. Sin embargo, este incidente de criptosecuestro sugiere que la República Popular Democrática de Corea usa programas maliciosos cada vez más sofisticados y está dispuesta a utilizarlos para generar cibermonedas mediante operaciones de minería en beneficio del régimen.

68. El Grupo toma nota con satisfacción de la información proporcionada por Estados Miembros sobre las medidas que han adoptado para contrarrestar las pérdidas causadas por ataques de ciberagentes de la República Popular Democrática de Corea (véase el anexo 23).

Empresa de cibermoneda respaldada por activos que utiliza tecnología de cadenas de bloques para generar ingresos

69. Marine Chain Platform Limited[40], registrada en Hong Kong el 12 de abril de 2018, se creó como una plataforma de cadenas de bloques para transacciones de buques que ofrecía la propiedad parcial de buques marítimos a cambio de cibermonedas digitales[41]. Según un Estado Miembro, Marine Chain tenía vínculos con la República Popular Democrática de Corea, y al menos un empleado de la empresa tenía vínculos con ciberagentes de la República Popular Democrática de Corea que habían extorsionado bitcoines de empresas de Internet. El Estado Miembro indicó además que los fondos iniciales de Marine Chain probablemente procedían de la extorsión de cibermonedas. El Grupo investigó a Marine Chain por evasión de sanciones financieras y la prohibición de las entidades cooperativas que figura en el párrafo 18 de la resolución 2375 (2017).

70. La investigación del Grupo llegó a la conclusión de que aunque el Capitán Jonathan Foong Kah Keong[42] figuraba oficialmente como Director General de Marine Chain Platform Limited (núm. de registro de empresas de Hong Kong: 2679578), en

[38] Véase Chris Doman, “A North Korean Monero Cryptocurrency miner”, *AlienVault*, 8 de enero de 2018.

[39] Véase Sam Kim, “North Korean hackers hijack computers to mine cryptocurrencies”, *Bloomberg*, 1 de enero de 2018.

[40] Marine Chain Platform Limited se cerró el 17 de septiembre de 2018. La información de los documentos para inversores y otros documentos de la empresa que describen su plan de negocios y actividades figuran en el anexo 24.

[41] Según un Estado Miembro, esa compra y venta de embarcaciones marítimas mediante cibermoneda digital podría facilitar la propiedad y gestión relativamente anónimas de las embarcaciones y permitir a los inversores convertir su participación en otras plataformas de cibermonedas.

[42] Foong ha trabajado activamente en la industria marítima de Singapur durante décadas y su empresa, Singclass, ha servido de sociedad de clasificación para dos buques con pabellón de la República Popular Democrática de Corea, el Hung Tae 1 (núm. 8604541 de la OMI) y el Pyong Hua (núm. 8510518 de la OMI). La primera vez que Kim se dirigió a Foong fue en octubre de 2017, cuando Kim se presentó como experto en cadenas de bloques que, según Foong, “necesitaba mi experiencia en cuestiones de transporte marítimo para garantizar el éxito de esta nueva empresa”.

realidad, Julien Kim era el propietario, único inversionista y Director *de facto*, y dirigía todas las actividades de la empresa mediante órdenes que daba a Foong y otros consultores. Todos los documentos y comunicaciones emitidos por Kim se hicieron a nombre de su alias, "Tony Walker", con la excepción de una lista telefónica interna de la empresa en la que se describía a "Julien Kim, alias Tony Walker" como "cerebro y principal inversor " y un contrato de consultoría que Kim había firmado con Foong el 18 de enero de 2018 en el que se establecían sus responsabilidades como cara externa de Kim y facilitador, con una serie de tareas relacionadas con la creación de la empresa y la apertura de la cuenta bancaria, así como con la firma de todos los documentos oficiales (véanse los anexos 25 a 28).

71. En cuanto a las operaciones financieras de la empresa, Foong hizo múltiples transferencias en nombre de Kim desde su cuenta de empresa en una institución financiera de Singapur. Foong declaró que "usaría mi cuenta de Singclass (que es mi negocio separado de Marine Chain) para hacer algunos de esos pagos al recibir pagos de Tony y bajo las instrucciones de Tony de pagarlos. Esto era porque la cuenta de Singclass era la única cuenta en dólares que tenía.". Los pagos a la cuenta de Kim (en cantidades que oscilan entre 30.000 y 150.000 dólares) se hicieron todos a través de empresas ficticias de Hong Kong y se usaba una empresa separada para cada transacción. Los pagos procesados por Foong a través de Singclass International Pte. Ltd. incluían algunos que parecían sospechosos (véase el anexo 29). En el anexo 27 figura un resumen de los hallazgos adicionales sobre este caso.

Recomendaciones

72. **El Grupo recomienda que el Consejo de Seguridad, al elaborar sanciones en el futuro, destaque la gravedad de los ciberataques perpetrados por la República Popular Democrática de Corea para eludir las resoluciones mediante la generación ilegal de ingresos para el país**.

73. **Los Estados Miembros deberían velar por que sus reglamentos abarquen las monedas virtuales, las instituciones financieras no bancarias y las empresas de servicios monetarios, entre ellas las plataformas de cambio de cibermonedas. Cuando proceda, los Estados Miembros deberían adoptar actuaciones reglamentarias dirigidas a las entidades financieras (entre ellas los servicios de cibermonedas) con el fin de promover una mayor seguridad en Internet para reducir el riesgo de posibles ciberataques futuros por parte de agentes de la República Popular Democrática de Corea**.

74. **Los Estados Miembros deberían velar por que sus instituciones financieras, entre ellas los bancos y las plataformas de cambio de cibermonedas, adopten medidas independientes para protegerse contra las actividades cibernéticas maliciosas de la República Popular Democrática de Corea. Esas medidas incluyen la participación en el intercambio de información sobre amenazas con otras instituciones financieras a través de organizaciones como el Centro de Análisis e Intercambio de Información sobre Servicios Financieros, el diseño de sistemas informáticos compartimentados para aislar cualquier ataque, el mantenimiento de copias de seguridad periódicas de sus datos, la realización de actividades de sensibilización sobre tácticas comunes de ingeniería social, la aplicación de políticas que rijan el intercambio de información y el acceso a los sistemas, y el desarrollo de planes de respuesta en caso de un ataque**.

75. **Los Estados Miembros deberían velar por que las plataformas de cambio de cibermonedas tengan las mismas obligaciones asignadas a los bancos para impedir el blanqueo de fondos, como controlar las transacciones sospechosas, proporcionar a los Gobiernos información sobre las cuentas después de los ataques, congelar los activos de las entidades sancionadas bajo su control y bloquear las transacciones que se crea que proceden de cuentas controladas por agentes malintencionados o asociadas con ellos**.

76. **Los Estados Miembros deberían mejorar su capacidad para facilitar un intercambio de información sólido, tanto a nivel nacional (mediante una colaboración interinstitucional eficaz) como internacional (iniciativas de intercambio de información y colaboración sobre las amenazas al sector financiero), a fin de detectar y prevenir los intentos de la República Popular Democrática de Corea de utilizar su capacidad cibernética para eludir las sanciones. Los Gobiernos deben compartir las mejores prácticas y transmitirlas a las entidades privadas pertinentes**.

V. Actividades recientes relacionadas con los programas nuclear y de misiles balísticos

Programa nuclear

77. El programa nuclear de la República Popular Democrática de Corea sigue funcionando a pesar de que no se han hecho ensayos nucleares y del cierre del polígono de ensayos nucleares de Punggye-ri. No se han observado indicios de funcionamiento del reactor de 5 MW(e) en Yongbyon durante el período a que se refiere el informe. Varios Estados Miembros comunicaron al Grupo que no podían determinar si las varillas de combustible se habían trasladado a la instalación de reprocesamiento. Continúa la construcción del reactor de agua ligera. Se han observado dragados repetidos a lo largo del río Kuryong. Se observó una actividad ocasional en el laboratorio radioquímico, que un Estado Miembro indicó que podría ser de mantenimiento. Otro Estado Miembro determinó que la instalación de enriquecimiento de uranio de Yongbyon sigue funcionando.

78. El primer Estado Miembro informó de que el complejo de concentración de uranio y las minas de Pyongsan siguen funcionando. El Grupo sigue vigilando otras instalaciones relacionadas con la energía nuclear.

79. Además, el Grupo continúa su estudio sobre artículos del “punto de embotellamiento” (S/2019/171, párr. 66) (véase el anexo 31).

Fortalecimiento de la capacidad de autonomía, integración y disuasión del programa de misiles balísticos

80. La nueva clase de misiles balísticos[43] de corto alcance (S/2019/171, anexo 84.4) lanzados los días 4 y 9 de mayo de 2019, y dos misiles que la Agencia Central de Noticias de Corea describió como un “nuevo tipo de arma táctica guiada”[44] lanzados el 24 de julio de 2019, son prueba de la capacidad de la República Popular Democrática de Corea de dominar componentes clave de los sistemas de misiles balísticos, entre ellos la producción de combustible sólido para cohetes, la movilidad mediante el uso de diferentes tipos de transportador-erector-lanzador y la capacidad

[43] Algunos expertos opinaron que los proyectiles lanzados los días 4 y 9 de mayo de 2019 eran “armas tácticas guiadas”, no misiles balísticos de corto alcance y eran similares a los lanzados el 24 de julio de 2019.

[44] Agencia Central de Noticias de Corea, 26 de julio de 2019.

de penetrar en los sistemas de defensa contra misiles balísticos[45]. En junio de 2019, Estados Miembros presentaron al Grupo evaluaciones sobre el carácter amplio y autónomo del programa integrado de misiles balísticos de la República Popular Democrática de Corea, en el que los avances en el programa de misiles balísticos de corto alcance aumentan la eficacia de todo el programa de misiles balísticos. A pesar de las sanciones, la República Popular Democrática de Corea ha logrado que toda la cadena de producción de misiles se realice en el país (anexo 32, párr. 4 y (S/2019/171, anexo 84.5). No obstante, la República Popular Democrática de Corea prosigue sus actividades en el extranjero, incluidas las ventas, las adquisiciones y la cooperación técnica, en beneficio de sus programas de misiles balísticos, así como para obtener beneficios financieros (anexo 32, párr. 6).

81. La República Popular Democrática de Corea mejora continuamente la infraestructura subterránea dispersa y oculta de su programa de misiles balísticos, incluida la red ferroviaria de la que depende (anexo 32, párr. 5 y S/2019/171, anexo 84.3).

Figura XIV
Lanzamiento de un misil balístico de corto alcance el 4 de mayo de 2019 desde la península de Wonsan Hodo[46]



Fuente: Agencia Central de Noticias de Corea (izquierda); Planet Labs, Inc. (derecha).

VI. Efectos no deseados de las sanciones

82. De conformidad con el párrafo 25 de la resolución 2397 (2017), las sanciones no tienen el propósito de acarrear consecuencias humanitarias adversas para la población civil de la República Popular Democrática de Corea, ni de afectar negativamente la labor de las organizaciones internacionales y no gubernamentales que realizan actividades de asistencia y socorro en el país en beneficio de la población civil. En el informe de necesidades y prioridades 2019 para la República Popular Democrática de Corea, el coordinador residente de las Naciones Unidas declaró que la situación de millones de personas en la República Popular Democrática de Corea seguía siendo sombría. Las personas más vulnerables del país padecían inseguridad alimentaria y desnutrición y falta de acceso a los servicios básicos. Como resultado, alrededor de 10,9 millones de personas seguían necesitando asistencia humanitaria para cubrir sus necesidades de alimentación, nutrición, salud y agua, saneamiento e

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[45] Anexo 32, párrs. 1 a 3. El nuevo submarino del que informó la Agencia Central de Noticias de Corea el 22 de julio podría ser una posible plataforma para misiles balísticos lanzados desde un submarino.

[46] Sitio de lanzamiento de misiles balísticos de corto alcance (39°24'32.25” N 127°31'53.63” E) el 4 de mayo de 2019 y penacho de humo a las 01:54:39 HUC.

higiene[47]. El Grupo es consciente de los informes en curso de que las sanciones de las Naciones Unidas causan consecuencias humanitarias negativas no deseadas (por ejemplo, en la atención de la salud, el agua y el saneamiento, y la nutrición de los grupos vulnerables).

83. En su anterior informe final, el Grupo señaló seis esferas principales de preocupación comunicadas por los organismos de las Naciones Unidas y las operaciones humanitarias en las que las consecuencias no deseadas habían afectado negativamente al funcionamiento de sus programas humanitarios en la República Popular Democrática de Corea (S/2019/171, párr. 176). Dos de las principales preocupaciones fueron los retrasos en la recepción de las exenciones del Comité y el colapso del canal bancario. El 6 de agosto de 2018, el Comité aprobó la "Nota orientativa núm. 7 para la aplicación de resoluciones: directrices para obtener exenciones con el fin de prestar asistencia humanitaria a la República Popular Democrática de Corea"[48]. Aunque el tiempo medio entre la recepción y la aprobación de las solicitudes de exención se ha reducido considerablemente[49], no se ha restablecido un canal bancario. Esto, junto con la práctica de las instituciones financieras de rechazar todas las transacciones vinculadas a jurisdicciones de alto riesgo, ha seguido obstaculizando los programas de los organismos de las Naciones Unidas y las organizaciones humanitarias, con consecuencias adversas para la población civil de la República Popular Democrática de Corea.

Recomendación

84. **El Grupo recomienda que los organismos pertinentes de las Naciones Unidas informen semestralmente al Comité sobre las consecuencias no deseadas de las sanciones para la población civil y sus operaciones en la República Popular Democrática de Corea**.

VII. Informes de los Estados Miembros

85. En el anexo 33 figuran estadísticas sobre los informes recientes de los Estados Miembros sobre las resoluciones. El Grupo señala que la cantidad y la calidad de los informes de los Estados Miembros deben mejorar en todos los aspectos. El Grupo recuerda también el plazo para que todos los Estados Miembros presenten informes de mitad de período sobre la repatriación de trabajadores de la República Popular Democrática de Corea de conformidad con el párrafo 8 de la resolución 2397 (2017). Además, teniendo en cuenta la calidad desigual de los únicos 37 informes de mitad de período recibidos, el Grupo subraya la importancia de que los Estados Miembros incluyan toda la información detallada pertinente en sus presentaciones.

[47] Véase *2019 Democratic People's Republic of Korea needs and priorities*, un informe del coordinador residente para la República Popular Democrática de Corea (marzo de 2019).

[48] Véase www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1718_implementation_assistance_notice_7.pdf.

[49] Desde febrero de 2019 hasta el momento en que se redactó el presente informe, el Comité concedió 16 aprobaciones. La información sobre las exenciones aprobadas por el Comité se publica en el sitio web, véase https://www.un.org/securitycouncil/es/sanctions/1718/exemptions-measures/humanitarian-exemption-requests.

VIII. Recomendaciones

1. **Los Estados Miembros deberían informar al Comité de toda transferencia de la que tengan conocimiento, de conformidad con lo dispuesto en las resoluciones.**

2. **Los Estados Miembros deberían fomentar el intercambio de información entre los comerciantes internacionales de productos básicos, los propietarios y operadores de flotas de petroleros y los aseguradores de buques para verificar el destino real de los petroleros a fin de evitar la evasión mediante la manipulación de la transmisión del sistema de identificación automática.**

3. **El Grupo recomienda que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) designe a los siguientes buques de la República Popular Democrática de Corea por realizar transferencias ilícitas de productos derivados del petróleo, en violación de lo dispuesto en el párrafo 5 de la resolución 2397 (2017):**

a) Un Pha 2 (núm. 8966535 de la OMI), pabellón de la República Popular Democrática de Corea, por realizar una transferencia de buque a buque con un petrolero desconocido el 27 de marzo de 2019;

b) Mu Bong 1 (núm. 8610461 de la OMI), pabellón de la República Popular Democrática de Corea, por realizar una transferencia de buque a buque con un petrolero desconocido el 15 de abril de 2019;

4. **Dado que los buques de la República Popular Democrática de Corea utilizan gabarras para evitar hacer escala en los puertos, las autoridades portuarias deberían realizar un examen más riguroso de esos buques mediante la verificación de la documentación, incluidos los certificados de origen, los manifiestos de carga y los conocimientos de embarque, y decomisar, inspeccionar y confiscar cualquier buque del que se sospeche que transporta artículos prohibidos.**

5. **El Grupo recomienda que el Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) designe a los siguientes buques de la República Popular Democrática de Corea por violar lo dispuesto en el párrafo 8 de la resolución 2371 (2017):**

a) Paek Yang San (núm. 9020534 de la OMI) por efectuar una transferencia de buque a buque el 5 de septiembre de 2018;

b) Ka Rim Chon (núm. 8314811 de la OMI) por efectuar una transferencia de buque a buque el 21 de septiembre de 2018;

c) Pho Phyong (núm. 8417962 de la OMI) por efectuar una transferencia de buque a buque el 24 de octubre de 2018;

d) Tae Yang (núm. 8306929 de la OMI) por efectuar una transferencia de buque a buque el 25 de octubre de 2018.

6. **El Grupo recomienda que el Comité designe al capitán del Wise Honest, Kim Chung Son, su propietario Korea Songi Shipping Company (número 5607043 de la OMI), y Korea Songi General Trading Corporation por su papel en la violación de las sanciones.**

7. **Los Estados Miembros deberían mejorar el control de la reentrada en su territorio de personas que trabajaban para entidades designadas, utilizando registros anteriores y datos biométricos.**

8. **El Grupo recomienda que el Consejo de Seguridad, al elaborar sanciones en el futuro, destaque la gravedad de los ciberataques perpetrados por la República Popular Democrática de Corea para eludir las resoluciones mediante la generación ilegal de ingresos para el país.**

9. **Los Estados Miembros deberían velar por que sus reglamentos abarquen las monedas virtuales, las instituciones financieras no bancarias y las empresas de servicios monetarios, entre ellas las plataformas de cambio de cibermonedas. Cuando proceda, los Estados Miembros deberían adoptar actuaciones reglamentarias dirigidas a las entidades financieras (entre ellas los servicios de cibermonedas) con el fin de promover una mayor seguridad en Internet para reducir el riesgo de posibles ciberataques futuros por parte de agentes de la República Popular Democrática de Corea.**

10. **Los Estados Miembros deberían velar por que sus instituciones financieras, entre ellas los bancos y las plataformas de cambio de cibermonedas, adopten medidas independientes para protegerse contra las actividades cibernéticas maliciosas de la República Popular Democrática de Corea. Esas medidas incluyen la participación en el intercambio de información sobre amenazas con otras instituciones financieras a través de organizaciones como el Centro de Análisis e Intercambio de Información sobre Servicios Financieros, el diseño de sistemas informáticos compartimentados para aislar cualquier ataque, el mantenimiento de copias de seguridad periódicas de sus datos, la realización de actividades de sensibilización sobre tácticas comunes de ingeniería social, la aplicación de políticas que rijan el intercambio de información y el acceso a los sistemas, y el desarrollo de planes de respuesta en caso de un ataque.**

11. **Los Estados Miembros deberían velar por que las plataformas de cambio de cibermonedas tengan las mismas obligaciones asignadas a los bancos para impedir el blanqueo de fondos, como controlar las transacciones sospechosas, proporcionar a los Gobiernos información sobre las cuentas después de los ataques, congelar los activos de las entidades sancionadas bajo su control y bloquear las transacciones que se crea que proceden de cuentas controladas por agentes malintencionados o asociadas con ellos.**

12. **Los Estados Miembros deberían mejorar su capacidad para facilitar un intercambio de información sólido, tanto a nivel nacional (mediante una colaboración interinstitucional eficaz) como internacional (iniciativas de intercambio de información y colaboración sobre las amenazas al sector financiero), a fin de detectar y prevenir los intentos de la República Popular Democrática de Corea de utilizar su capacidad cibernética para eludir las sanciones. Los Gobiernos deben compartir las mejores prácticas y transmitirlas a las entidades privadas pertinentes.**

13. **El Grupo recomienda que los organismos pertinentes de las Naciones Unidas informen semestralmente al Comité sobre las consecuencias no deseadas de las sanciones para la población civil y sus operaciones en la República Popular Democrática de Corea.**

Annex 1: United States submission to the 1718 Committee of 11 June 2019

June 11, 2019

Dear Ambassador Christoph Heusgen,

On behalf of Australia, Austria, Belgium, Canada, the Czech Republic, Dominican Republic, France, Germany, Hungary, Italy, Japan, Latvia, Lithuania, Republic of Malta, Marshall Islands, Federated States of Micronesia, Kingdom of the Netherlands, New Zealand, Poland, Peru, Spain, Slovak Republic, Ukraine, and the United States, I have the honor to submit to the 1718 Committee a request for the Committee Secretary to take the actions described in paragraph 5 of UNSCR 2397 because the DPRK has breached the 2019 annual cap for refined petroleum products. Attached, please find a report detailing observations of illicit North Korean refined petroleum imports. When these observed illicit refined petroleum imports and the reported imports are combined, the aggregate amount of refined petroleum imported into the DPRK is in excess of the 500,000 refined petroleum cap set in UNSCR 2397. Specifically, we request the 1718 Committee Secretary take the following actions:

- We request the 1718 Committee Secretary issue a public note verbale to all UN Member States, and for the Chair to issue a Committee press release to inform the general public that the DPRK has breached the UNSCR 2397 OP5 refined petroleum product quota for 2019 and order an immediate halt to all transfers of refined petroleum products to the DPRK until the end of the year.

- We further request the 1718 Committee Secretary update the website to include the illicit refined petroleum imports and show that the 2019 quota has been breached.

- We further request the 1718 Committee to include in this note verbale and press release a call on all member states to immediately exercise enhanced vigilance against the DPRK attempting to procure additional refined petroleum products and to prevent illicit ship-to-ship transfers of refined petroleum products to vessels owned, controlled, or acting on behalf of or working in cooperation with the DPRK.

We request the Chair circulate our report to the 1718 Committee and our proposals for Committee action by today, June 11, 2018 under the regular 5-day NOP process. We thank you in advance for your assistance.

Sincerely,

David Yardley
Political Coordinator
Permanent Mission of Australia to the United Nations

Philipp Charwath
Minister Plenipotentiary
Deputy Permanent Representative
Permanent Mission of Austria to the United Nations

Mathias Bogaert
Political Coordinator
Permanent Mission of Belgium to the United Nations

Julanar Green
Political Coordinator
Permanent Mission of Canada to the United Nations

Hani Stolina
1st Committee Expert
Permanent Mission of the Czech Republic to the United Nations

José Singer
Special Envoy of the Dominican Republic to the Security Council
Permanent Mission of the Dominican Republic to the United Nations

Antoine Michon
Minister Counsellor
Permanent Mission of France to the United Nations

Christoph Heusgen
Permanent Representative
Permanent Mission of the Federal Republic of Germany to the United Nations

Mr. Zoltan Varga
Minister Plenipotentiary
Deputy Permanent Representative
Permanent Mission of Hungary to the United Nations

Ludovico Serra
Political Coordinator
Permanent Mission of Italy to United Nations

Kosuke Amiya
Counsellor/ Alternate Political Coordinator
Permanent Mission of Japan to the United Nations

Agnese Vilde
Deputy Permanent Representative
Permanent Mission of the Republic of Latvia to the United Nations

Ambassador Audra Plepytė
Permanent Representative
Permanent Mission of Lithuania to the United Nations

Giovanni Buttigieg
Charge d'Affaires a.i.
Deputy Permanent Representative
Permanent Mission of the Republic of Malta
to the United Nations New York

H.E. Ms. Amatlain E. Kabua
Ambassador & Permanent Representative of the
Republic of the Marshall Islands to the United Nations
Permanent Mission of the Republic of the Marshall Islands
to the United Nations

Ms Jane J. Chigiyal
Permanent Representative
Permanent Mission of the Federated States
of Micronesia to the United Nations

Joost van Dieren
First Secretary
Permanent Mission of the Kingdom of the Netherlands

Renée Yap
Counsellor
Permanent Mission of New Zealand
to the United Nations

Kamil Mielus
Political Coordinator
Permanent Mission of Poland to the United Nations

Enri Prieto
Minister Counsellor
Permanent Mission of Peru to the United Nations

Maria Palacios
Minister Counsellor
Permanent Mission of Spain to the United Nations

Peter Pindjak
Political Coordinator
Permanent Mission of the Slovak Republic
to the United Nations

Olena Syrota
Counsellor
Permanent Mission of Ukraine
to the United Nations

David Lee
Deputy Political Counselor
United States Mission to the United Nations

His Excellency
Christoph Heusgen,
Chair of the Committee established pursuant to resolution 1718 (2006)
New York, NY.

REPORT TO THE UN 1718 COMMITTEE:

NORTH KOREA'S BREACH OF THE UNSCR 2397 REFINED PETROLEUM CAP

(UNCLASSIFIED) The United States and its partners remain gravely concerned about the degree of UN Security Council resolution (UNSCR) violations that are occurring in relation to North Korea's (DPRK) import of refined petroleum products. UNSCR 2397 operative paragraph 5 restricts the DPRK to 500,000 barrels of refined petroleum imports per year subject to a mandatory reporting requirement. Any Member State supplying, selling, or transferring refined petroleum volumes to the DPRK is required to submit reports to the UNSC 1718 Committee informing it of these transfers within 30 days of the transfer in order to allow the Committee to maintain an accurate accounting of the DPRK's imports.

(UNCLASSIFIED) UNSCR 2375 operative paragraph 11 requires that UN Member States prohibit their nationals, entities and individuals subject to their jurisdiction, and their flag vessels from engaging in ship-to-ship (STS) transfers of goods or items being transferred to or from the DPRK with DPRK-flagged vessels. Nevertheless, the DPRK continues to conduct STS transfers as its primary means of importing refined petroleum. This report finds that the DPRK has exceeded the UNSCR 2397 500,000 barrel quota for 2019.

(UNCLASSIFIED) As STS transfers to DPRK-flagged vessels are explicitly prohibited by UNSCR 2375, the perpetrators involved in supplying refined petroleum products to DPRK-flagged tankers fail to report these volumes to the relevant UN Member State to avoid self-incrimination. Separately, there are observed deliveries occurring in select cases from non DPRK-flagged tankers. These deliveries are made by vessels likely under the control of the DPRK and whose associated volumes are not reported to the UN 1718 Committee by any Member State. These vessels include the NEW REGENT (IMO 8312497), the SEN LIN 01 (IMO 8910378), and the VIET TIN 01 (IMO 8508838) – see Table 1. The cumulative effect of these deliveries is that the UN 1718 Committee's official accounting of the DPRK's imports vastly underrepresents the volume of refined petroleum products that actually enter the DPRK via its fleet of oil tankers and other associated vessels. UNSCR 2397's provision limiting the DPRK's ability to import refined petroleum products is intended to tighten sanctions in response to the DPRK's development of nuclear weapons and ballistic missiles that threaten international peace and security and are prohibited by numerous UNSCRs. The restriction on the DPRK's refined petroleum imports is critical to maintaining pressure on the DPRK, including those parties responsible for its WMD program, to achieve the final, fully verified denuclearization of the DPRK. As long as the DPRK continues to import refined petroleum products with no accountability at the UN, UNSCR 2397 operative paragraph 5 does not have its intended effect.

(UNCLASSIFIED) In order to ensure the full and effective implementation of UNSCR 2397, there must be an established methodology to evaluate the volume of illicit refined petroleum products that enter the DPRK as a result of its UN-prohibited STS transfers with DPRK-flagged vessels or deliveries by non DPRK-flagged tankers that Member States fail to report to the UN

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1718 Committee. As stated, the responsible Member States supplying this refined petroleum to DPRK-flagged tankers and vessels working on behalf of the DPRK via STS transfers are failing to report these volumes to the 1718 Committee, so an alternative methodology must be established. UN Member States now have one full calendar year of evidence that these volumes are not integrated into the 1718 Committee's official accounting of the DPRK's refined petroleum product import volumes.

(UNCLASSIFIED) This report seeks to once again establish the best possible methodology for an official accounting of the DPRK's refined product imports procured via illicit STS transfers with DPRK-flagged vessels and other delivery volumes that are not reported to the UN 1718 Committee. The DPRK imports refined petroleum products primarily via STS transfers. The DPRK operates a fleet of oil tankers capable of carrying and transiting petroleum and engaging in STS transfers. This tanker fleet is identified in a series of U.S. government maritime advisories released by the Departments of State and Treasury, and the U.S. Coast Guard. These tankers are constantly in transit seeking counterparties with which to conduct STS transfers in order to procure refined products to deliver to the DPRK. These tactics and patterns of behavior are well documented in the aforementioned U.S. government advisories.

(UNCLASSIFIED) Following the procurement of refined petroleum products via STS transfer, DPRK-flagged tankers and tankers working on behalf of the DPRK return to ports located in the DPRK that are equipped with oil unloading infrastructure in order to lift the refined petroleum products from the tankers so that they can enter circulation into the DPRK for consumption. The Nampo port in the Taedong River is the primary port used for tanker deliveries as it is outfitted with the necessary tanker unloading infrastructure, maintains substantial refined petroleum product storage facilities, and is serviced by rail lines that enable the transit of refined petroleum products to petroleum demand centers throughout the DPRK. It can be confidently assessed that this infrastructure, and the tankers utilizing it, carry only refined petroleum products given that any contamination of petroleum poses significant risk of damage to end use equipment of petroleum such as vehicles, electricity generators, and other machinery. As a result, this infrastructure is not utilized to transit other substances as it would pose a significant risk of contamination. The United States provided images of this infrastructure to the 1718 Committee and Panel of Experts on September 17, 2018 as part of a previous report on this matter. Those images are being resubmitted to accompany this report.

- The first image (Report Image 1) shows an overhead view of the Nampo port, the DPRK's largest marine import terminal, and the associated onshore refined petroleum product storage infrastructure. In the image, Nampo's offloading infrastructure can be seen clearly. On the right side of the image, a DPRK-flagged tanker can be seen anchored at Nampo's offloading buoy that connects to subsea pipelines to bring the refined petroleum products from tankers into Nampo's storage infrastructure prior to distribution. On the left side of the image, Nampo's piers can be seen where tankers also have the ability to unload directly into onshore pipelines feeding additional storage facilities for refined petroleum products.

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- The second image (Report Image 2) shows the DPRK-flagged M/T YU JONG 2 anchored at an offloading buoy at the Nampo petroleum products storage west port facility in the Taedong River on July 21, 2018 in the process of delivering refined petroleum products procured via illicit STS transfer.

- The third image (Report Image 3) shows the DPRK-flagged M/T AN SAN 1 anchored at an offloading buoy at the Nampo petroleum products storage west port facility in the Taedong River on August 17, 2018 in the process of delivering refined petroleum products procured via illicit STS transfer.

- As with all STS transfers, the YU JONG 2 and AN SAN 1 shipments were not reported to the 1718 Committee as UNSCR 2397 requires.

(UNCLASSIFIED) This report submits additional imagery and data that thoroughly document the activities of the DPRK-flagged tanker fleet and tankers working on behalf of the DPRK in their pattern of sailing from the DPRK's territorial sea to areas of commercial vessel traffic to conduct STS transfers, and subsequently delivering the illicitly procured refined petroleum products to DPRK ports to unload. These images and maps demonstrating DPRK-flagged tanker movements clearly establish that the DPRK is undertaking these activities on a vast basis.

(UNCLASSIFIED) The United States and Japan have documented at least eight instances of STS transfers this year in which DPRK-flagged tankers received refined petroleum products from feeder tankers that have not been reported to the 1718 Committee for its official accounting of the DPRK's imports. Each of these STS transfers is described below.

1. (UNCLASSIFIED) On 2 January 2019, the North Korean-flagged tanker JI SONG 6 (IMO: 8898740) was observed moored alongside Sierra Leone-flagged TIANYOU (IMO: 8817007) in the Korea Bay (38-27N 124-22E) to conduct an STS transfer (Report Images 4-5). Following the STS transfer, the JI SONG 6 returned to Nampo for delivery; its transit path is demonstrated on the map in Report Image 4. On 7 January 2019, JI SONG 6 returned to Nampo and unloaded its refined product cargo.

2. (UNCLASSIFIED) On 18 January 2019, the North Korean-flagged tanker AN SAN 1 (IMO: 7303803) was observed moored alongside an unidentified tanker of unknown nationality conducting an STS transfer of refined petroleum products (Report Images 6-7). On 11 February 2019, AN SAN 1 was observed at the Nampo offloading buoy discharging its refined product cargo into Nampo's storage facilities (Report Image 8).

3. (UNCLASSIFIED) On 24 January 2019, the North Korean-flagged tanker KUM JIN GANG 2 (IMO: 8708684) was observed moored alongside Cook Islands-flagged HONG MAN (IMO: 9170949) in the East China Sea conducting an STS transfer (Report Images 9-11). Following the STS transfer, the KUM JIN GANG 2 returned to for Nampo for delivery; its overall transit path is demonstrated on the map in Report Image 9. On 13

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February 2019, KUM JIN GANG 2 was observed at the Nampo Buoy discharging refined petroleum (Report Image 12).

4. (UNCLASSIFIED) On 2 March 2019, the North Korean-flagged tanker SAEBYOL (IMO: 8916293) was observed moored alongside an unidentified tanker of unknown nationality conducting an STS transfer of refined petroleum products (Report Image 13). Following the STS transfer, the SAEBYOL returned to Nampo for delivery. On 8 March 2019, SAEBYOL was observed at the Nampo offloading buoy to lift its refined product cargo into Nampo's storage facilities (Report Image 14).

5. (UNCLASSIFIED) On 20 March 2019, the North Korean-flagged tanker YU SON (IMO: 8691702) was observed moored alongside an unidentified tanker of unknown nationality conducting an STS transfer of refined petroleum products (Report Images 15-17). Following the STS transfer, the YU SON returned to Nampo for delivery of its refined product cargo by 29 March (Report Image 18).

6. (UNCLASSIFIED) On 27 March 2019, North Korean-flagged UN PHA 2 (aka KUM GANG 3, IMO: 8660313) was observed moored alongside an unidentified tanker at coordinates 43-02N 131-54E conducting an STS transfer of refined petroleum products (Report Images 19-20). Following the STS transfer, the UN PHA 2 returned to Wonsan for delivery; its overall transit path is demonstrated on the map in Report Image 19. On 2 April 2019, KUM JIN GANG 2 was observed anchored at the Wonsan port to deliver its refined petroleum cargo (Report Image 21).

7. (UNCLASSIFIED) On 31 March 2019, North Korean-flagged CHON MA SAN (IMO: 8660313) was observed moored alongside Sierra Leone-flagged TIANYOU (IMO: 8817007) in the Korea Bay (38-28N 124-24E) conducting an STS transfer of refined petroleum products (Report Images 22-23). Following the STS transfer, the CHON MA SAN returned to Nampo for delivery; its transit path is demonstrated on the map in Report Image 22. On 3 April 2019, North Korean-flagged CHON MA SAN was observed at a pier in Nampo discharging its refined petroleum cargo (Report Image 24).

8. (UNCLASSIFIED) On 15 April 2019, North Korean-flagged MU BONG 1 (IMO: 8610461) was observed moored alongside an unidentified tanker in the Korea Bay (38-19N 124-19E) conducting an STS transfer of refined petroleum products (Report Images 25-26). Following the STS transfer, the MU BONG 1 returned to Nampo for delivery; its transit path is demonstrated on the map in Report Image 25. On 23 April 2019, North Korean-flagged MU BONG 1 was anchored in Nampo waiting to discharge its refined petroleum cargo (Report Image 27).

9. (UNCLASSIFIED) The DPRK also continues to evolve its tactics in order to maintain a consistent flow of illicit volumes of refined petroleum products into its ports. Report Image 28 depicts the formerly Panama-flagged and UN-sanctioned STS feeder vessel NEW REGENT (IMO 8312497; imagery of NEW REGENT – KUM UN SAN 3 STS transfer on June 7, 2018 previously shared with the Panel of Experts and 1718 Committee) docked in Nampo. As of April 23, the vessel delivered petroleum to Nampo on two occasions (March 28 and April 10) as listed in Table 1. The addition of the tanker

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Table 1: 2019 DPRK and Other Tanker Deliveries and Associated Volumes (in barrels)						
Port	**Ship Name**	**Arrival Date**	**Dead Weight Tonnage**	**Delivery Volume if 33% Laden**	**Delivery Volume if 50% Laden**	**Delivery Volume if 90% Laden**
Nampo	Sen Lin 01	1-Jan-19	1,159.00	382.00	579.50	1,043.10
Nampo	Mu Bong 1 (Ryong Bong 1)	4-Jan-19	1,998.00	659.00	999.00	1,798.20
Nampo	Ji Song 6	7-Jan-19	1,250.00	413.00	625.00	1,125.00
Nampo	Chong Ryong San	8-Jan-19	1,665.00	549.00	832.50	1,498.50
Nampo	Yu Phyong 5	8-Jan-19	1,966.00	649.00	983.00	1,769.40
Nampo	Kum Jin Gang 2	11-Jan-19	2,100.00	693.00	1,050.00	1,890.00
Nampo	Ji Song 6	12-Jan-19	1,250.00	413.00	625.00	1,125.00
Nampo	Sen Lin 01	12-Jan-19	1,159.00	382.00	579.50	1,043.10
Nampo	Chong Ryong San	14-Jan-19	1,665.00	549.00	832.50	1,498.50
Nampo	Sam Jong 2	14-Jan-19	2,507.00	827.00	1,253.50	2,256.30
Najin	Song Won	16-Jan-19	2,101.00	693.00	1,050.50	1,890.90
Nampo	Nam San 8	17-Jan-19	3,150.00	1,040.00	1,575.00	2,835.00
Nampo	Sen Lin 01	18-Jan-19	1,159.00	382.00	579.50	1,043.10
Nampo	Rye Song Gang 1	19-Jan-19	3,003.00	991.00	1,501.50	2,702.70
Nampo	Kum Un San	19-Jan-19	2,070.00	683.00	1,035.00	1,863.00
Nampo	Pu Ryong (Kum Un San 3)	22-Jan-19	3,279.00	1,082.00	1,639.50	2,951.10
Nampo	Chon Ma San	23-Jan-19	3,565.00	1,176.00	1,782.50	3,208.50
Nampo	An San 1	23-Jan-19	3,003.00	991.00	1,501.50	2,702.70
Nampo	Mu Bong 1 (Ryong Bong 1)	23-Jan-19	1,998.00	659.00	999.00	1,798.20
Nampo	Myong Ryu 1	24-Jan-19	817.00	270.00	408.50	735.30
Nampo	Rye Song Gang 1	25-Jan-19	3,003.00	991.00	1,501.50	2,702.70
Songnim	Yu Phyong 5	26-Jan-19				

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			1,966.00	649.00	983.00	1,769.40
Nampo	Chong Ryong San	28-Jan-19	1,665.00	549.00	832.50	1,498.50
Songnim	Yu Phyong 5	30-Jan-19	1,966.00	649.00	983.00	1,769.40
Nampo	Yu Son	4-Feb-19	3,398.00	1,121.00	1,699.00	3,058.20
Nampo	Kum Jin Gang 2	4-Feb-19	2,100.00	693.00	1,050.00	1,890.00
Nampo	Pu Ryong (Kum Un San 3)	5-Feb-19	3,279.00	1,082.00	1,639.50	2,951.10
Najin	Song Won	5-Feb-19	2,101.00	693.00	1,050.50	1,890.90
Chongjin	Nam San 8	6-Feb-19	3,150.00	1,040.00	1,575.00	2,835.00
Najin	Kum Un San	7-Feb-19	2,070.00	683.00	1,035.00	1,863.00
Nampo	Saebyol	9-Feb-19	1,150.00	380.00	575.00	1,035.00
Nampo	Sen Lin 01	22-Feb-19	1,159.00	382.00	579.50	1,043.10
Nampo	Myong Ryu 1	25-Feb-19	817.00	270.00	408.50	735.30
Nampo	Viet Tin 01	25-Feb-19	5,453.00	1,799.49	2,726.50	4,907.70
Nampo	Yu Phyong 5	4-Mar-19	1,966.00	649.00	983.00	1,769.40
Nampo	Sen Lin 01	6-Mar-19	1,159.00	382.00	579.50	1,043.10
Nampo	Saebyol	8-Mar-19	1,150.00	380.00	575.00	1,035.00
Nampo	Kum Jin Gang 2	10-Mar-19	2,100.00	693.00	1,050.00	1,890.00
Nampo	Myong Ryu 1	11-Mar-19	817.00	270.00	408.50	735.30
Nampo	Sen Lin 01	11-Mar-19	1,159.00	382.00	579.50	1,043.10
Nampo	Yu Phyong 5	12-Mar-19	1,966.00	649.00	983.00	1,769.40
Nampo	Chon Ma San	16-Mar-19	3,565.00	1,176.00	1,782.50	3,208.50
Nampo	Mu Bong 1 (Ryong Bong 1)	19-Mar-19	1,998.00	659.00	999.00	1,798.20
Chongjin	An San 1	20-Mar-19	3,003.00	991.00	1,501.50	2,702.70
Nampo	Nam San 8	22-Mar-19	3,150.00	1,040.00	1,575.00	2,835.00
Nampo	Sam Jong 2	22-Mar-19	2,507.00	827.00	1,253.50	2,256.30
Nampo	Chong Ryong San	23-Mar-19				

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			1,665.00	549.00	832.50	1,498.50
Nampo	Sen Lin 01	23-Mar-19	1,159.00	382.00	579.50	1,043.10
Chongjin	Kum Jin Gang 3 (aka Wan Heng 11)	25-Mar-19	4,983.00	1,644.00	2,491.50	4,484.70
Chongjin	Kum Jin Gang 3 (aka Wan Heng 11)	27-Mar-19	4,983.00	1,644.00	2,491.50	4,484.70
Nampo	New Regent	28-Mar-19	4,999.00	1,649.67	2,499.50	4,499.10
Nampo	Yu Son	29-Mar-19	3,398.00	1,121.00	1,699.00	3,058.20
Nampo	Kum Jin Gang 2	29-Mar-19	2,100.00	693.00	1,050.00	1,890.00
Wonsan	Un Pha 2	2-Apr-19	1,205.00	398.00	602.50	1,084.50
Nampo	Myong Ryu 1	3-Apr-19	817.00	270.00	408.50	735.30
Nampo	Chon Ma San	3-Apr-19	3,565.00	1,176.00	1,782.50	3,208.50
Nampo	Kum Un San	3-Apr-19	2,070.00	683.00	1,035.00	1,863.00
Nampo	Sen Lin 01	6-Apr-19	1,159.00	382.00	579.50	1,043.10
Nampo	Saebyol	8-Apr-19	1,150.00	380.00	575.00	1,035.00
Nampo	Sam Jong 1	8-Apr-19	1,665.00	549.45	832.50	1,498.50
Nampo	Chon Ma San	8-Apr-19	3,565.00	1,176.00	1,782.50	3,208.50
Nampo	New Regent	10-Apr-19	4,999.00	1,649.67	2,499.50	4,499.10
Nampo	Pu Ryong (Kum Un San 3)	10-Apr-19	3,279.00	1,082.00	1,639.50	2,951.10
Chongjin	Sam Jong 2	11-Apr-19	2,507.00	827.00	1,253.50	2,256.30
Chongjin	Nam San 8	17-Apr-19	3,150.00	1,040.00	1,575.00	2,835.00
Nampo	Sen Lin 01	17-Apr-19	1,159.00	382.00	579.50	1,043.10
Nampo	Mu Bong 1 (Ryong Bong 1)	18-Apr-19	1,998.00	659.00	999.00	1,798.20
Nampo	Kum Jin Gang 3 (aka Wan Heng 11)	18-Apr-19	4,983.00	1,644.00	2,491.50	4,484.70
Nampo	Chong Ryong San	19-Apr-19	1,665.00	549.00	832.50	1,498.50
Nampo	Sen Lin 01	23-Apr-19	1,159.00	382.00	579.50	1,043.10
Total (Barrels)				**401,057.10**	**607,736.25**	**1,093,925.25**

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(UNCLASSIFIED) In the scenario in which all of the 70 deliveries included fully laden tankers, the DPRK has more than doubled the UNSCR 2397 import quota as of April 23 with 1.093 million barrels of imports. If all the DPRK deliveries included only half-laden tankers – a rather unlikely scenario – the DPRK is still already in breach of the UNSCR 2397 import quota with illicit import volumes of more than 607,000 barrels. Finally, even in the highly unlikely scenario that every single tanker delivery that has taken place in 2019 only included a one-third laden vessel (a scenario in which DPRK imports constitute over 400,000 barrels), the DPRK would still be in breach of the UNSCR 2397 import quota when the year-to-date UN reported volumes are combined with the DPRK's illicit imports – see Table 2. As of submission of this report, China and Russia collectively have reported 92,229.66 barrels of refined petroleum product transfers to the UN 1718 Committee for the months of January and February, which would bring the DPRK's overall total of refined product imports in 2019 to over 493,000. When China and Russia report transfers for March and April, the one-third laden scenario would surpass the 500,000 barrel quota presuming these reports are within even a fraction of monthly averages from the prior 14 months or reporting.

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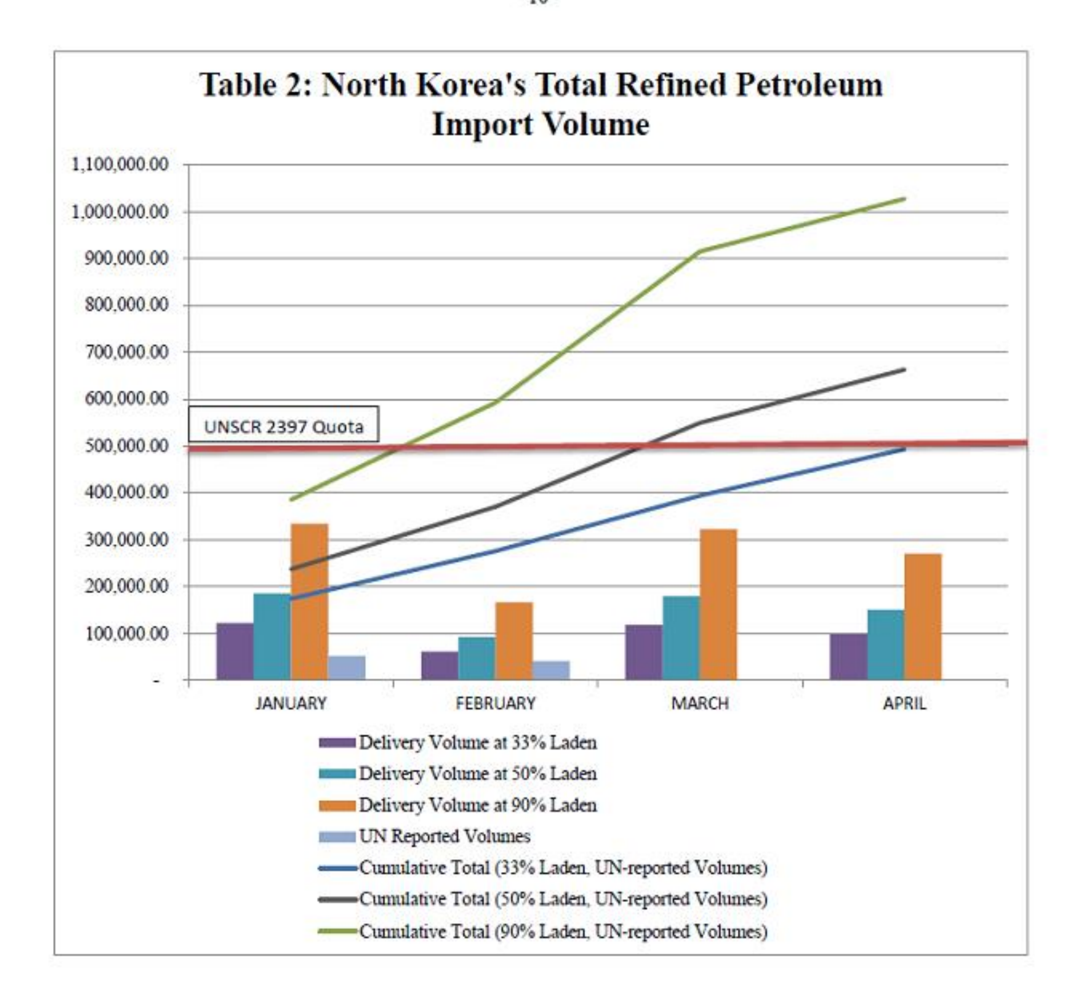


Table 2: North Korea's Total Refined Petroleum Import Volume
1,100,000.00
1,000,000.00
900,000.00
800,000.00
700,000.00
600,000.00
500,000.00
400,000.00
300,000.00
200,000.00
100,000.00
-
UNSCR 2397 Quota
JANUARY
FEBRUARY
MARCH
APRIL
Delivery Volume at 33% Laden
Delivery Volume at 50% Laden
Delivery Volume at 90% Laden
UN Reported Volumes
Cumulative Total (33% Laden, UN-reported Volumes)
Cumulative Total (50% Laden, UN-reported Volumes)
Cumulative Total (90% Laden, UN-reported Volumes)

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(UNCLASSIFIED) Given the evidence provided herein, and that all three scenarios of illicit import volumes demonstrate that the DPRK has breached the UNSCR 2397 import cap, we ask for the support of the Panel, the 1718 Committee, and Member States in seeking the 1718 Committee's immediate determination that the cap has been breached, and to subsequently notify UN Member States of the breach and confirm that all subsequent transfers of refined petroleum to the DPRK must immediately halt. Similarly, the Panel of Experts is requested to review this report's analysis and underlying evidence in order to include this assessment in the 2019 mid-term report on the volumes of imports to the DPRK and the associated implications for the implementation of UNSCR 2397's refined product import quota.

Source: Member State

Annex 2: Communication of the Russian Federation to the 1718 Committee of 18 June 2019

Dear Chair, colleagues,

On the issue of refined petroleum cap Russia would like to recall the provisions of UNSCR 2397, which stipulates that the Committee notifies all Member States when an aggregate amount of refined petroleum products sold, supplied, or transferred to the DPRK of 75, 90 and 95 per cent of the aggregate yearly amounts of 500 000 barrels have been reached, and only in the latter case (95 per cent), such notification is accompanied by an information about the requirement to immediately cease further deliveries of refined petroleum products to the DPRK for the remainder of the year.

In the absence of the aforementioned notification of the Committee, export of refined petroleum products to the DPRK is fully in line with the requirements of the 1718 sanctions regime.

We are still considering the information provided by the US regarding the cases of alleged ship-to-ship transfers of refined petroleum products to the DPRK, as well as the results of the computer modeling. We've also noticed that out of 79 cases of alleged STS transfers only 9 imagery sets were provided. We believe that at the current stage it is premature for the Committee to make a conclusive decision regarding the US proposal and to cease refined petroleum export to the DPRK.

It is with this understanding we suggest the US provide the 1718 Panel of Experts with appropriate information regarding reported cases of STS transfers and with the methodology of petroleum calculations to study it thoroughly and impartially.

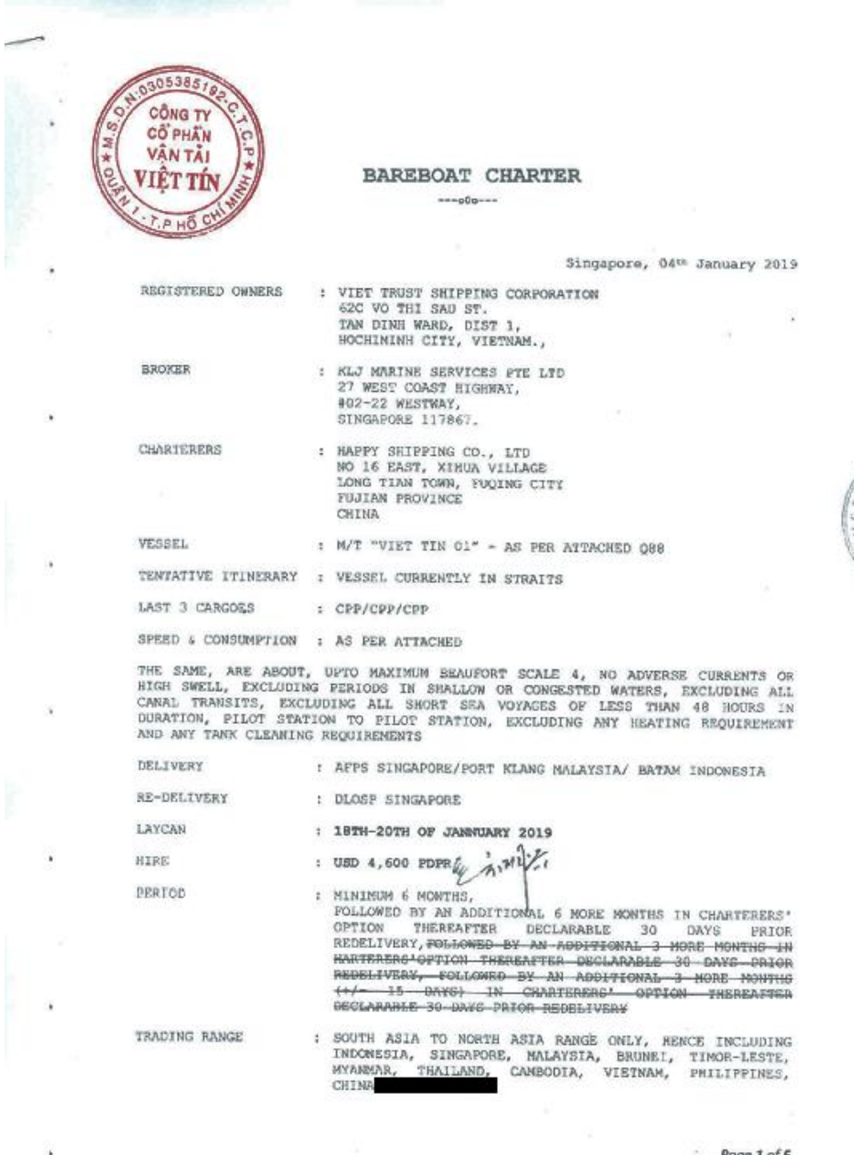
Upon receiving the results of such a study we are ready to return to the consideration of this issue with a view to eventually making an objective decision.

In the meantime Russia would like to put the US proposal **on hold**.

Alexey

Source: Member State

Annex 3: Bareboat charter agreement of the *Viet Tin 01*



BAREBOAT CHARTER

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Singapore, 04th January 2019

REGISTERED OWNERS	: VIET TRUST SHIPPING CORPORATION 62C VO THI SAU ST. TAN DINH WARD, DIST 1, HOCHIMINH CITY, VIETNAM.,
BROKER	: KLJ MARINE SERVICES PTE LTD 27 WEST COAST HIGHWAY, #02-22 WESTWAY, SINGAPORE 117867.
CHARTERERS	: HAPPY SHIPPING CO., LTD NO 16 EAST, XIHUA VILLAGE LONG TIAN TOWN, FUQING CITY FUJIAN PROVINCE CHINA
VESSEL	: M/T "VIET TIN 01" - AS PER ATTACHED Q88
TENTATIVE ITINERARY	: VESSEL CURRENTLY IN STRAITS
LAST 3 CARGOES	: CPP/CPP/CPP
SPEED & CONSUMPTION	: AS PER ATTACHED

THE SAME, ARE ABOUT, UPTO MAXIMUM BEAUFORT SCALE 4, NO ADVERSE CURRENTS OR HIGH SWELL, EXCLUDING PERIODS IN SHALLOW OR CONGESTED WATERS, EXCLUDING ALL CANAL TRANSITS, EXCLUDING ALL SHORT SEA VOYAGES OF LESS THAN 48 HOURS IN DURATION, PILOT STATION TO PILOT STATION, EXCLUDING ANY HEATING REQUIREMENT AND ANY TANK CLEANING REQUIREMENTS

DELIVERY	: AFPS SINGAPORE/PORT KLANG MALAYSIA/ BATAM INDONESIA
RE-DELIVERY	: DLOSP SINGAPORE
LAYCAN	: **18TH-20TH OF JANNUARY 2019**
HIRE	: **USD 4,600 PDPR**
PERIOD	: MINIMUM 6 MONTHS, FOLLOWED BY AN ADDITIONAL 6 MORE MONTHS IN CHARTERERS' OPTION THEREAFTER DECLARABLE 30 DAYS PRIOR REDELIVERY, ~~FOLLOWED BY AN ADDITIONAL 3 MORE MONTHS IN HARTERERS'OPTION THEREAFTER DECLARABLE 30 DAYS PRIOR REDELIVERY, FOLLOWED BY AN ADDITIONAL 3 MORE MONTHS (+/- 15 DAYS) IN CHARTERERS' OPTION THEREAFTER DECLARABLE 30 DAYS PRIOR REDELIVERY~~
TRADING RANGE	: SOUTH ASIA TO NORTH ASIA RANGE ONLY, HENCE INCLUDING INDONESIA, SINGAPORE, MALAYSIA, BRUNEI, TIMOR-LESTE, MYANMAR, THAILAND, CAMBODIA, VIETNAM, PHILIPPINES, CHINA [redacted]

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TRADING EXCLUSION : EXCLUDING ANY UN OR US OR EU SANTIONED OR EMBARGOED AREAS, VESSEL NOT TO TRADE IN ANY ICE OR ICE BOUND PORTS/BERTHS/PLACES, NOR VESSEL TO FORCE ICE OR FOLLOW ICE BREAKERS, AND NOT TO TRADE IN ANY WAR OR WAR-LIKE PLACES OR PORTS.

IN THE EVENT OF VESSEL BEING ARRESTED/DETAINED/BOYCOTTED/DESTROYED BY A THIRD PARTY DUE TO THE CHARTERERS FAULTS TO SEND THE VESSEL TO THE SANTIONED OR EMBARGOED AREA AND IN ANY WAR OR WAR-LIKE PLACES OR PORTS, **THE CHARTERERS OBLIGED TO BUY THE VESSEL FROM THE OWNERS** AT PRICE :USD 1,200,000 (ONE MILLION, TWO HUNDRED THOUSAND UNITED OF AMERICA DOLLARS)

CARGOES : ALL CLEAN PETROLEUM PRODUCTS PLUS ALL OTHER PRODUCTS AS PER VESSEL'S CERTIFICATE OF FITNESS (AS ATTACHED)

PRESENTATION : CARGO TANKS TO BE WATER WHITE STANDARD ON DELIVER CARGO TANKS TO BE WATER WHITE STANDARD UPON RE-DELIVERY

COMMISSION : **NONE**

CHARTER PARTY : SHELL TIME 4 ISSUED DECEMBER 1984

OTHERS

- ALL TRANSHIPMENT EQUIPMENTS INCLUDING FENDERS,HOSES,REDUCERS ARE TO BE ARRANGED AND PROVIDED BY CHARTERERS AT CHARTERERS' ACCOUNT. OWNERS WILL COOPERATE, BUT WITH NO GUARANTEE, IN SUPPLY OF ANY SHORTFALL OF EQUIPMENTS, PROVIDED THAT SUCH EQUIPMENTS ARE AVAILABLE ON OWNERS' VESSEL.

- IF REQUESTED BY CHARTERERS, CHARTERERS ARE ALLOWED TO LIAISE WITH/SEND WRITTEN OR VERBAL ORDERS TO THE MASTER/VESSEL/AGENTS DIRECTLY FOR ALL LOAD/DISCHARGE OPERATIONS, WITH NO OFFICIAL VOYAGE ORDERS/DOCUMENTS TO BE PROVIDED TO THE OWNERS FOR THE ENTIRE B.B CHARTER PERIOD. OWNERS SHALL NOT BE LIABLE FOR ANY DELAY/DIRECT COSTS/INDIRECT COSTS INCURRED FOR ALL MISCOMMUNICATIONS DONE IN THIS MANNER.

ALL OTHER TERMS AND CONDITIONS TO BE AS PER SHELLTIME 4 ISSUED DECEMBER 1984 WITH LOGICAL AMENDMENTS AS PER BELOW:
CL 1 (A) LINE 7 ADD AT THE END "VIETNAM REGISTER (VR)"
(B) LINE 8 DELETE "CRUDE PETROLEUM AND/OR ITS PRODUCTS" AND REPLACE AS PER MAIN TERMS
(E) LINE 14 INSERT IN BLANK SPACE "380"
(H) LINE 22 DELETE "FORM B" INSERT "VESSEL'S Q88"
LINE 23 DELETE "FORM B" INSERT "VESSEL'S Q88"

CL 3 (III) LINE 56 DELETE "30" INSERT "7"

CL 4 LINE 65 INSERT IN BLANK SPACE "MINIMUM 6 MONTHS, FOLLOWED BY AN ADDITIONAL 6 MORE MONTHS IN CHARTERERS' OPTION THEREAFTER DECLARABLE 30 DAYS PRIOR REDELIVERY, FOLLOWED BY AN ADDITIONAL 1 MORE YEAR (+/- 15 DAYS) IN CHARTERERS' OPTION THEREAFTER DECLARABLE 30 DAYS PRIOR REDELIVERY"

Page 2 of 5

LINE 66 INSERT IN BLANK SPACE AS PER MAIN TERMS
LINE 68-72 DELETE "IN ANY PART OF THE WORLD,......AS A CONSEQUENCE OF SUCH ORDER."
LINE 80-81 DELETE "THAT" INSERT "THE SAFETY OF THE VESSEL FOR"
DELETE "SHALL CONFORM TO STANDARDS NOT LESS THAN THOSE SET OUT IN THE LATEST PUBLISHED EDITION OF THE ICS/OCIMF SHIP TO SHIP TRANSFER GUIDE"
LINE 82 DELETE "A PORT IN" INSERT IN BLANK SPACE "ARRIVAL FIRST PILOT STATION SINGAPORE"
LINE 83 DELETE "AT OWNERS' OPTION"
DELETE "A PORT IN" AND INSERT IN BLANK SPACE "DROPPING LAST OUTWARDS SEA PILOT SINGAPORE"
ADD AT THE END OF THE CLAUSE "OWNERS ARE TO GIVE CHARTERERS IMMEDIATE APPROXIMATE NOTICE OF DELIVERY UPON FIXING. FOLLOWING THIS OWNERS ARE TO GIVE CHARTERERS DEFINITE NOTICE OF DELIVERY INCLUDING DATE AND PLACE 10, 7, 5, 3, 2, 1 DAY PRIOR TO DELIVERY TO CHARTERERS. OWNERS ARE TO ADVISE CHARTERERS IMMEDIATELY IF THERE IS ANY CHANGE OF MORE THAN 12 HOURS TO THE ACTUAL NOTICES."

CL 5 LINE 85-86 ADD IN BLANK SPACES AS PER MAIN TERMS

CL 7 LINE 97 DELETE "(EXCEPT FUEL USED FOR DOMESTIC SERVICES)"

CL 8 LINE 105 INSERT IN BLANK SPACE "USD 4,600"

CL 9 LINE 107 INSERT IN BLANK SPACE "OWNERS' DESIGNATED BANK ACCOUNT"
LINE 108 DELETE "ACCOUNT"
INSERT IN BLANK SPACE "UNITED STATES DOLLARS"
DELETE "PER CALENDAR MONTH IN ADVANCE" INSERT "HIRE TO BE PAID FROM TIME OF DELIVERY UNTIL THE LAST DAY OF THE MONTH, AFTERWHICH HIRE TO BE PAID ON MONTHLY BASIS ON 1ST DAY OF EVERY CALENDAR MONTH"

CL 10 LINE 132 INSERT IN BLANK SPACE "85"

CL 11 DELETE ALL
DELIVERY AT THE LAST PURCHASED PRICES, TO BE SUPPORTED BY BUNKER SUPPLIER'S INVOICE(S). OWNERS TO PAY FOR BUNKERS ROB ON RE-DELIVERY AT LAST PURCHASED PRICES, TO BE SUPPORTED BY BUNKER SUPPLIER'S INVOICE(S)."

CL 17 LINE 180 AFTER "UNDER THIS CHARTER" ADD "AT CHARTERERS' ACCOUNT'
LINE 181-182 DELETE ", OWNERS FINDING PROVISIONS......WHILE ON BOARD THE VESSEL"

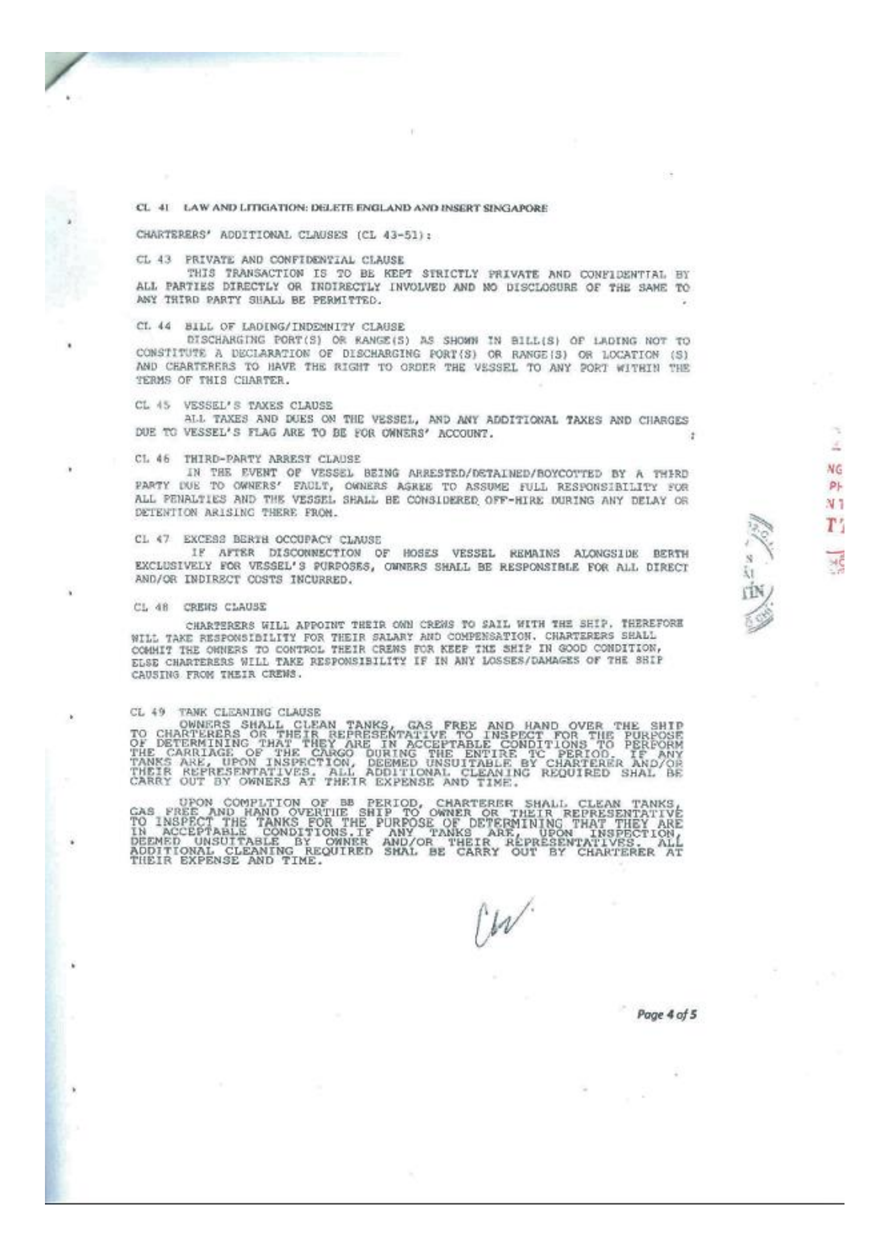
CL 22 LINE 258 INSERT IN BLANK SPACE "EVERY TWO (2) YEARS"
LINE 259 INSERT IN BLANK SPACE " SIX (6) MONTHS"
LINE 259 AFTER "CHARTERERS SHALL" INSERT "ON BEST ENDEAVOUR BASIS"
LINE 261 AFTER "PRACTICABLE." INSERT "FOR SAKE OF CLARITY, THE VESSEL JUST FINISHED HER DRYDOCK THIS YEAR (2016), THE NEXT DRYDOCK SHOULD BE SOMETIME IN 2018."

CL 24 LINE 303-320 DELETE "AVERAGE SPEED......AS THE CASE MAY BE" AND REPLACE AS PER MAIN TERMS

CL 29 LINE 391 INSERT IN BLANK SPACE "180"

CL 33 DELETE ALL

Page 3 of 5



CL 41 LAW AND LITIGATION: DELETE ENGLAND AND INSERT SINGAPORE

CHARTERERS' ADDITIONAL CLAUSES (CL 43-51):

CL 43 PRIVATE AND CONFIDENTIAL CLAUSE

THIS TRANSACTION IS TO BE KEPT STRICTLY PRIVATE AND CONFIDENTIAL BY ALL PARTIES DIRECTLY OR INDIRECTLY INVOLVED AND NO DISCLOSURE OF THE SAME TO ANY THIRD PARTY SHALL BE PERMITTED.

CL 44 BILL OF LADING/INDEMNITY CLAUSE

DISCHARGING PORT(S) OR RANGE(S) AS SHOWN IN BILL(S) OF LADING NOT TO CONSTITUTE A DECLARATION OF DISCHARGING PORT(S) OR RANGE(S) OR LOCATION (S) AND CHARTERERS TO HAVE THE RIGHT TO ORDER THE VESSEL TO ANY PORT WITHIN THE TERMS OF THIS CHARTER.

CL 45 VESSEL'S TAXES CLAUSE

ALL TAXES AND DUES ON THE VESSEL, AND ANY ADDITIONAL TAXES AND CHARGES DUE TO VESSEL'S FLAG ARE TO BE FOR OWNERS' ACCOUNT.

CL 46 THIRD-PARTY ARREST CLAUSE

IN THE EVENT OF VESSEL BEING ARRESTED/DETAINED/BOYCOTTED BY A THIRD PARTY DUE TO OWNERS' FAULT, OWNERS AGREE TO ASSUME FULL RESPONSIBILITY FOR ALL PENALTIES AND THE VESSEL SHALL BE CONSIDERED OFF-HIRE DURING ANY DELAY OR DETENTION ARISING THERE FROM.

CL 47 EXCESS BERTH OCCUPACY CLAUSE

IF AFTER DISCONNECTION OF HOSES VESSEL REMAINS ALONGSIDE BERTH EXCLUSIVELY FOR VESSEL'S PURPOSES, OWNERS SHALL BE RESPONSIBLE FOR ALL DIRECT AND/OR INDIRECT COSTS INCURRED.

CL 48 CREWS CLAUSE

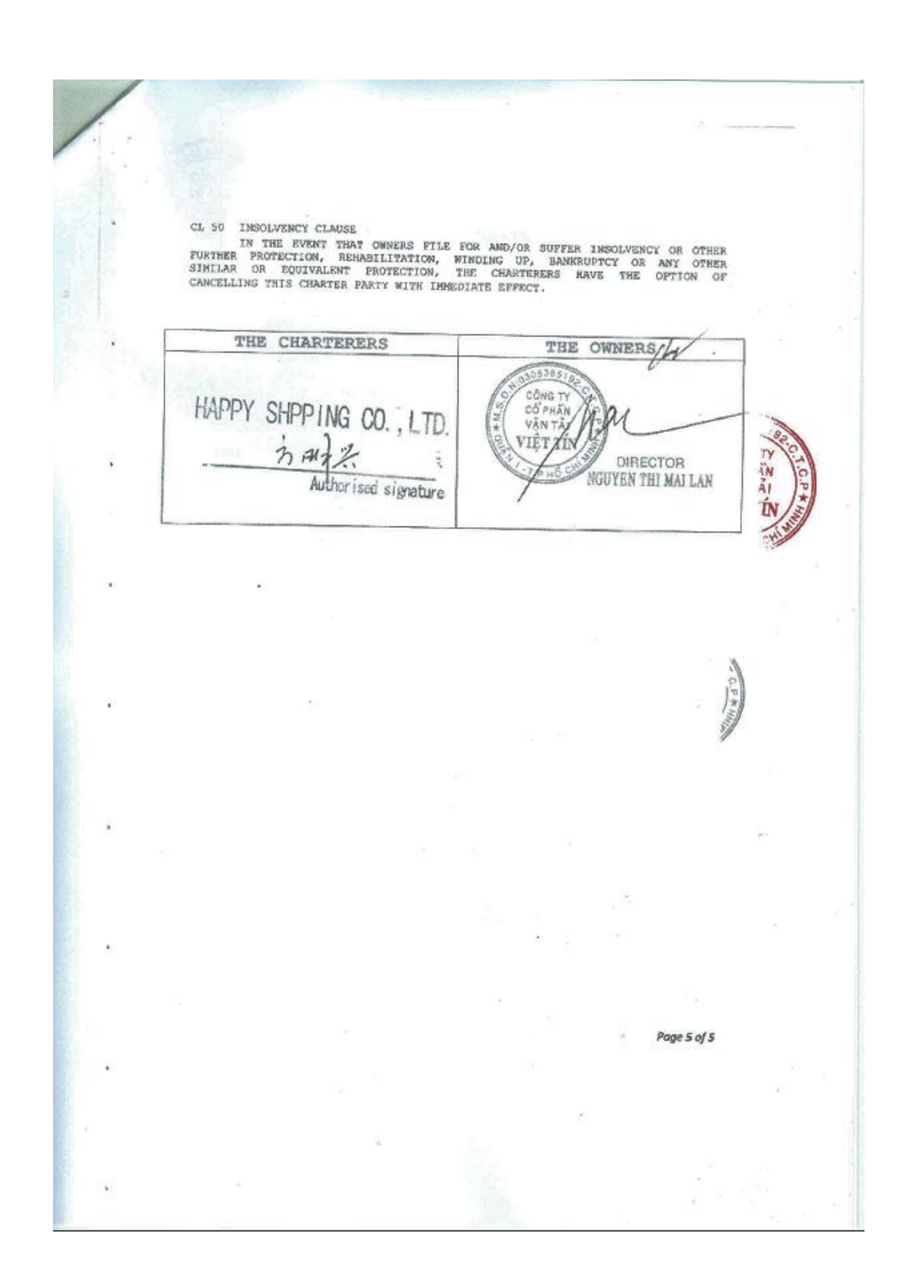
CHARTERERS WILL APPOINT THEIR OWN CREWS TO SAIL WITH THE SHIP. THEREFORE WILL TAKE RESPONSIBILITY FOR THEIR SALARY AND COMPENSATION. CHARTERERS SHALL COMMIT THE OWNERS TO CONTROL THEIR CREWS FOR KEEP THE SHIP IN GOOD CONDITION, ELSE CHARTERERS WILL TAKE RESPONSIBILITY IF IN ANY LOSSES/DAMAGES OF THE SHIP CAUSING FROM THEIR CREWS.

CL 49 TANK CLEANING CLAUSE

OWNERS SHALL CLEAN TANKS, GAS FREE AND HAND OVER THE SHIP TO CHARTERERS OR THEIR REPRESENTATIVE TO INSPECT FOR THE PURPOSE OF DETERMINING THAT THEY ARE IN ACCEPTABLE CONDITIONS TO PERFORM THE CARRIAGE OF THE CARGO DURING THE ENTIRE TC PERIOD. IF ANY TANKS ARE, UPON INSPECTION, DEEMED UNSUITABLE BY CHARTERER AND/OR THEIR REPRESENTATIVES. ALL ADDITIONAL CLEANING REQUIRED SHAL BE CARRY OUT BY OWNERS AT THEIR EXPENSE AND TIME.

UPON COMPLTION OF BB PERIOD, CHARTERER SHALL CLEAN TANKS, GAS FREE AND HAND OVERTHE SHIP TO OWNER OR THEIR REPRESENTATIVE TO INSPECT THE TANKS FOR THE PURPOSE OF DETERMINING THAT THEY ARE IN ACCEPTABLE CONDITIONS.IF ANY TANKS ARE, UPON INSPECTION, DEEMED UNSUITABLE BY OWNER AND/OR THEIR REPRESENTATIVES. ALL ADDITIONAL CLEANING REQUIRED SHAL BE CARRY OUT BY CHARTERER AT THEIR EXPENSE AND TIME.

Page 4 of 5



CL 50 INSOLVENCY CLAUSE

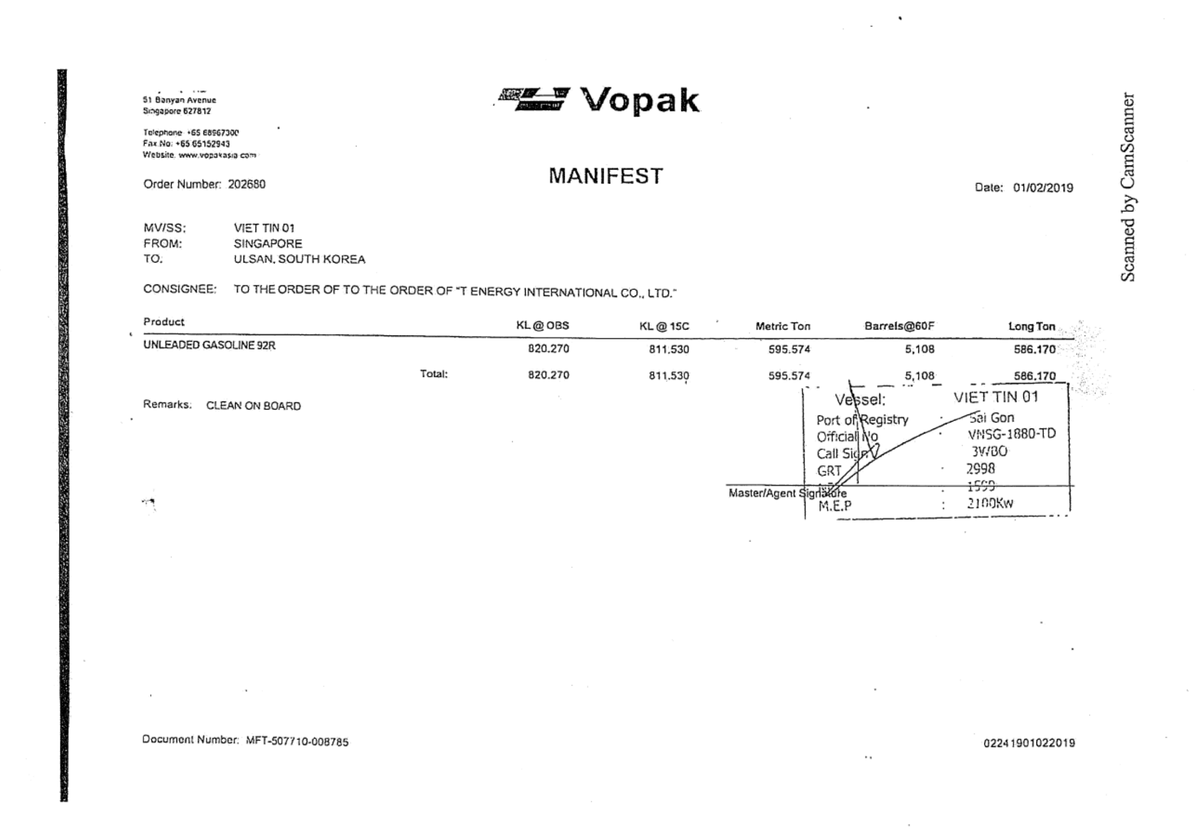
IN THE EVENT THAT OWNERS FILE FOR AND/OR SUFFER INSOLVENCY OR OTHER FURTHER PROTECTION, REHABILITATION, WINDING UP, BANKRUPTCY OR ANY OTHER SIMILAR OR EQUIVALENT PROTECTION, THE CHARTERERS HAVE THE OPTION OF CANCELLING THIS CHARTER PARTY WITH IMMEDIATE EFFECT.

THE CHARTERERS	THE OWNERS
HAPPY SHPPING CO., LTD. Authorised signature	CÔNG TY CỔ PHẦN VẬN TẢI VIỆT TÍN DIRECTOR NGUYEN THI MAI LAN

Page 5 of 5

Source: The Panel

Annex 4: Manifest of cargo loaded onto the *Viet Tin 01*



51 Banyan Avenue
Singapore 627812

Telephone +65 68967300
Fax No: +65 65152943
Website: www.vopakasia.com

Vopak

MANIFEST

Order Number: 202680

Date: 01/02/2019

MV/SS: VIET TIN 01
FROM: SINGAPORE
TO: ULSAN, SOUTH KOREA

CONSIGNEE: TO THE ORDER OF TO THE ORDER OF "T ENERGY INTERNATIONAL CO., LTD."

Product		KL @ OBS	KL @ 15C	Metric Ton	Barrels@60F	Long Ton
UNLEADED GASOLINE 92R		820.270	811.530	595.574	5,108	586.170
	Total:	820.270	811.530	595.574	5,108	586.170

Remarks: CLEAN ON BOARD

Vessel: VIET TIN 01
Port of Registry : Sai Gon
Official No : VNSG-1880-TD
Call Sign : 3WBO
GRT : 2998
NRT : 1599
M.E.P : 2100Kw

Master/Agent Signature

Document Number: MFT-507710-008785

02241901022019

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Source: Member State

Annex 5: Vessels documented through imagery conducting ship-to-ship transfers of coal off the Gulf of Tonkin and offloaded at Qisha

#	STS Transfer Date	Vessel	Offload Date
1	5 September 2018	*Paek Yang San* IMO: 9020534 DPRK-flagged	By 23 December 2018
2	21 September 2018	*Ka Rim Chon* IMO: 8314811 DPRK-flagged	
3	23 September 2018	*Pho Phyong* IMO: 8417962 DPRK-flagged	
4	24 October 2018	*Pho Phyong* IMO: 8417962 DPRK-flagged	By 27 December 2018
5	25 October 2018	*Tae Yang* IMO: 8306929 DPRK-flagged	
6	15 February 2019	*Asia Honor* IMO: 8405220 Unknown-flagged (formerly Comoros-flagged)	By 7 March 2019

Source: Member State

Annex 6.1: Response from the People's Republic of China to the queries from the Panel

1. S/AC.49/2019/PE/OC. 26

China attaches great importance to the ship-to-ship transfers and smuggling issue. The competent Chinese authorities including the Coastal Guard has taken a series of measures to strength the patrolling and monitoring in relevant sea areas and fully implement the Security Council resolutions. The information provided by the Panel lacks timeliness and cannot lead to on-site investigation. The information of relevant vessels is ambiguous and lacks accuracy, which does not constitute a full evidence chain or basis for further investigation.

Based on China's investigation, all of the coal vessels berthed at Qisha port have legal importing documents, and the origin of the coal is not the DPRK. In fact, most of the bulk cargo ships are very similar in shape, and it is imprudent to make association between the vessels involved in the ship-to-ship transfers with the ones berthed at Qisha port merely based on the satellite images.

Source: Member State

Annex 6.2: Response from the People's Republic of China to the queries from the Panel

2. S/AC.49/2019/PE/OC. 49

China has seriously implemented relevant provision of the Security Council resolutions that prohibits procuring fishing rights from the DPRK. The competent Chinese authorities have prohibited ocean fishing operations in the DPRK sea areas, strengthened control and law-enforcement on illegal fishing activities in the sea areas between China and the DPRK, and urged fishing companies to conduct fishing operations in accordance with relevant laws and regulations. According to our investigation, "琼东渔 12122" is not a fishing vessel legally registered in China. The flag state and vessel identification could not be verified simply based on the painted ship name. We hope the Panel does not include such fragmented information in the report.

Source: Member State

Annex 7: Document showing Qingdao Global Shipping Co Ltd as *Dong Thanh's* vessel operator

TO: THE CAPTAIN OF MV DONG THANH

FM: METRO OCEAN LIMITED

MV. CAPTAIN GEORGE K – VOYAGE INSTRUCTION DD 3RD APRIL 2019

DEAR CAPTAIN:

WE ARE QINGDAO GLOBAL SHIPPING CO., LIMITED AS THE APPOINTED/AUTHORISED OPERATOR FOR AND ON BEHALF OF THE CHTRS/METRO OCEAN LIMITED AND WELCOME YOU AND YOUR CREW TO THIS FIXTURE.

PLS NOTE THAT YR GOOD VSL WL BE DELIVERED TO CHTRS/ METRO OCEAN LIMITED ON DLOSP DAVAO PORT WITHIN LAYCAN 0001LT 3RD ~ 2359LT 4TH APRIL 2019.

PLS INFORM THE BUNKER ROB ON DELIVERY.

CHTRS:
METRO OCEAN LIMITED
ADD: FLAT/RM A20/F KIU FU COMMERCIAL BLDG 300 LOCKHART ROAD, WAN CHAI, HONG KONG.

CHTRS VSL OPERATOR:
QINGDAO GLOBAL SHIPPING CO., LIMITED
ATTENTION: MR. LIMAO ZHANG MBL: +86-18866421365 E-MAIL: op@globalqd.com

VOYAGE INSTRUCTIONS:

AA: TCT MAIN TERMS:

01. DELY: DLOSP DAVAO PORT ATDNHINC

02. LAYCAN: 0001LT 3RD ~ 2359LT 4TH APRIL. 2019.

03. 1 TCT VIA SP(S), SB(S), SA(S), AAAA,AWIWL WITH HARMLESS, LAWFUL CARGO ALWAYS W/I INL (INTERNATIONAL NAVIGATIONAL LIMITS). TRADING FIRM INTENTION: VIA INDONESIA WITH LAWFUL & HARMLESS COAL TO MALAYSIA.

DURATION ABT 17 DAYS WOG.

04. REDEL: DLOSP 1SP MALAYSIA, INT. KUANTAN PORT.

05. BUNKER CL:

B.O.D.: IFO/380CST AND MGO, **PLS ADVISE:**

Note: Metro Ocean is the sub-charterer of the *Dong Thanh*, and is located in the same building as Qingdao Global Shipping Group Ltd (former Qingdao Global Shipping Co, Ltd).

Source: The Panel

Annex 8: Eko Setyamoko and Pt. Bara Makmur Sadayana company

[Official Translation]

[logo]

PT. BARA MAKMUR SADAYANA

COAL & MINERALS TRADING COMPANY

Number : 268/BMS-MBSS/IV/2019

Enclosure : -

Re : Request for the Replacement of the Coal Carrier for Ship-to-Ship Transshipment

Head, the Office of Customs and Excise Supervision and Service, Customs-B Mid-level Type (KPPBC TMP B), Balikpapan in Balikpapan

In reference to the letter from the Head of KPPBC TMP B Balikpapan under number: S-624/WBC.16/KPP.MP.01/2019 dated 02 April 2019 re: Approval of the Supervision of the Ship-to-Ship Transshipment, we would like to convey that the motor vessel MV. First Bridge has cancelled its departure for Indonesia because of cancellation by the ship owner. Accordingly, we would like to notify you of the replacement of the motor vessel that will be conducting the Ship-to-Ship Transshipment with the following data:

No.	Data	Previously	Replaced with
1.	CARRIER		
	a. Name	MV. WISE HONEST	MV. WISE HONEST

- 1 -

[redacted]
SWORN & AUTHORIZED TRANSLATOR
[redacted]

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	b. Ship-to-ship Unloading	MV. FIRST BRIDGE	MV. DONG THANH
2.	ESTIMATED DATE OF SHIP-TO-SHIP UNLOADING	02 April 2019	06 April 2019

This request has, therefore, been submitted truthfully.

We declare our willingness to comply with prevailing laws and regulations.

Jakarta, 02 April 2019

PT. BARA MAKMUR SADAYANA

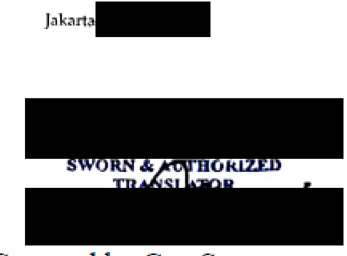
[*signed*]

Eko Setyamoko

[redacted] a sworn and authorized translator, by virtue of Jakarta Capital Territory Governor's Decree No. 2228/2001, practicing in Jakarta, do solemnly and sincerely declare that the foregoing document is a true and faithful translation from Indonesian into English of the original version.

- 2 -

Jakarta [redacted]

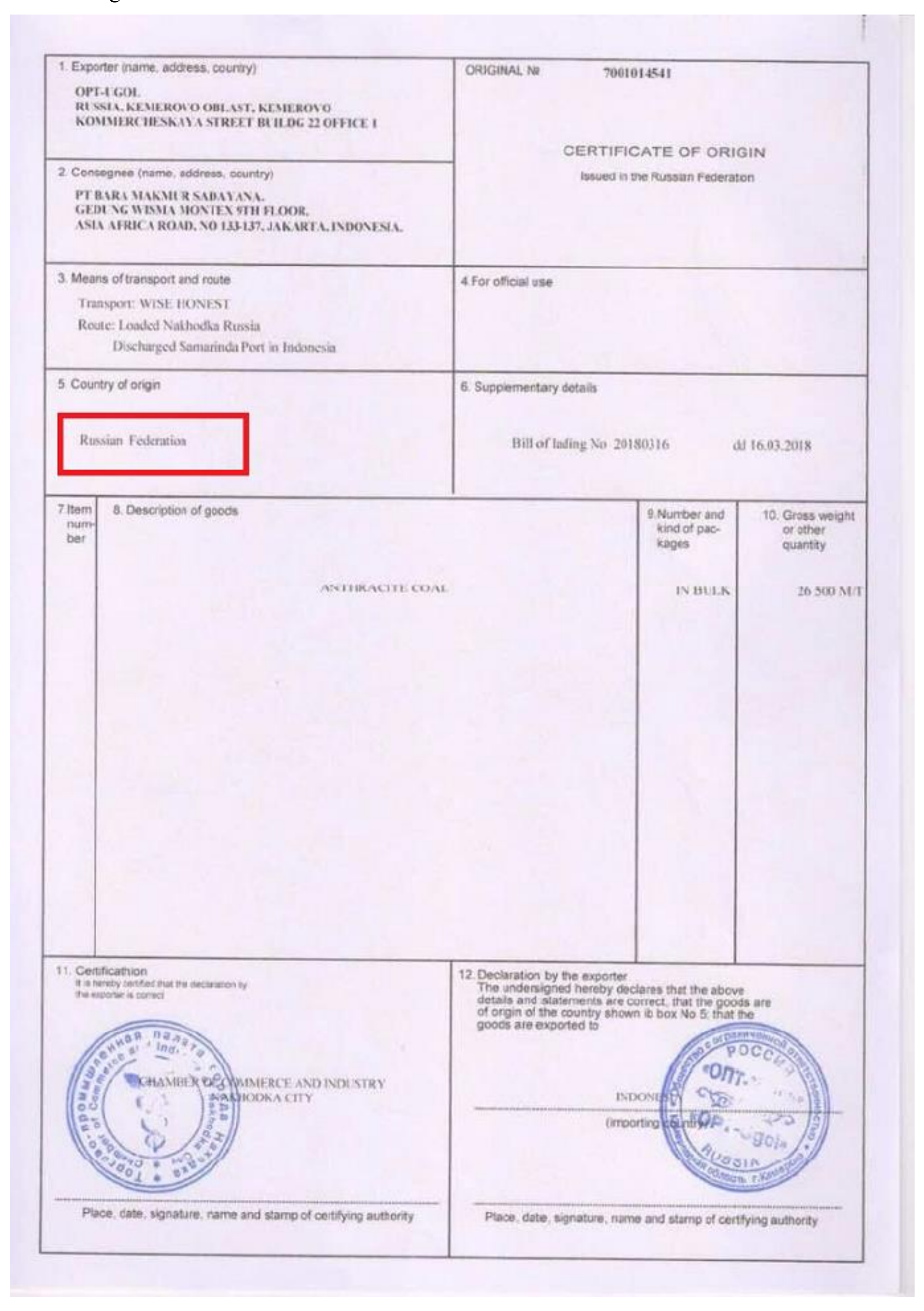


Scanned by CamScanner

Source: The Panel

Annex 9: Certificates of origin containing false information

Certificate of origin for coal on board the *Wise Honest*



1. Exporter (name, address, country)
OPT-UGOL
RUSSIA, KEMEROVO OBLAST, KEMEROVO
KOMMERCHESKAYA STREET BUILDG 22 OFFICE 1

ORIGINAL № 7001014541

CERTIFICATE OF ORIGIN
Issued in the Russian Federation

2. Consegnee (name, address, country)
PT BARA MAKMUR SADAYANA.
GEDUNG WISMA MONTEX 9TH FLOOR.
ASIA AFRICA ROAD, NO 133-137, JAKARTA, INDONESIA.

3. Means of transport and route
Transport: WISE HONEST
Route: Loaded Nakhodka Russia
Discharged Samarinda Port in Indonesia

4. For official use

5. Country of origin
Russian Federation

6. Supplementary details
Bill of lading No 20180316 dd 16.03.2018

7. Item number	8. Description of goods	9. Number and kind of packages	10. Gross weight or other quantity
	ANTHRACITE COAL	IN BULK	26 500 M/T

11. Certification
It is hereby certified that the declaration by the exporter is correct
CHAMBER OF COMMERCE AND INDUSTRY NAKHODKA CITY
Place, date, signature, name and stamp of certifying authority

12. Declaration by the exporter
The undersigned hereby declares that the above details and statements are correct, that the goods are of origin of the country shown ib box No 5; that the goods are exported to
INDONESIA
(importing country)
Place, date, signature, name and stamp of certifying authority

Source: The Panel

Reply from the Russian Federation on the Certificate of origin for coal on board the *Wise Honest*



Постоянное представительство
Российской Федерации
при Организации
Объединенных Наций

Phone: (212) 861 4900
Fax: (212) 628 0252

Permanent Mission
of the Russian Federation
to the United Nations

136 East 67th Street
New York, NY 10065

No. 2928 /n

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the Panel of Experts established pursuant to Security Council resolution 1874 (2009) and referring to the inquiry by the Panel dated 24 June 2019 (S/AC.49/2019/PE/OC.45) has the honour to transmit the following.

The Chamber of Commerce and Industry of the city of Nakhodka has never issued the Certificate of Origin # 7001014541, mentioned in your inquiry. Moreover, the copy of the document attached to your letter contains definitive signs of forgery and lacks a form number for the Certificate.

The Russian Federation has no information on the submission of applications by "OPT-I GOL" to Federal agencies for the issuance of any Certificates of Origin, as well as of the participation of this company in the transportation (export) of coal from the territory of the Russian Federation onboard of the "Wise Honest". Russian competent authorities also do not have any information on the issuance of any Certificates of Origin with the mentioning of this ship in line 3 ("Means of transport and route").

Panel of Experts established pursuant
to Security Council resolution 1874 (2009)
United Nations
New York

Source: Member State

2

Given the above the Russian Federation has no information on the contact details of the individuals in "OPT-I GOL" or any other company that have requested a Certificate for the purposes of transporting coal onboard of the "Wise Honest". The ship itself from 1 January 2018 until June this year has not entered the region of activity of the Nakhodka customs authorities or of the Far East Customs Directorate.

The Permanent Mission of the Russian Federation takes this opportunity to convey to the Panel of Experts established pursuant to Security Council resolution 1874 (2009) the renewed assurances of its highest consideration.


New York, "29" July 2019

Certificate of origin carried for coal transshipped from the *Wise Honest* on board the *Dong Thanh*

建龍(香港)國際貿易有限公司

JIANLONG (HONGKONG) INTERNATIONAL TRADE CO., LIMITED

ADD.: ROOM 1201, 12/F., SHANGHAI INDUSTRIAL INVESTMENT BUILDING,
48 - 62 HENNESSY ROAD, WANCHAI, HONG KONG

CERTIFICATE OF ORIGIN

TO WHOM MAY CONCERNS

DESCRIPTION OF GOODS:	INDONESIAN COAL
LOADING PORT:	TELUK BALIKPAPAN, INDONESIA
DISCHARGING PORT:	KEMAMAN PORT, MALAYSIA
VESSEL NAME:	MV.DONG THANH VOY.03-19
BILL OF LADING DATE:	12 APRIL, 2019
BILL OF LADING WEIGHT:	26,400 MTS

WE HEREBY CERTIFY THAT ON BOARD THE **MV.DONG THANH VOY.03-19** WHICH SALED FROM **TELUK BALIKPAPAN, INDONESIA** ON **12 APRIL, 2019** THERE WERE SHIPPED **26,400 MTS** OF **INDONESIAN COAL** WHOLLY ORIGINATED FROM **TELUK BALIKPAPAN, INDONESIA**.

For and on behalf of:

JIANLONG (HONG KONG) INTERNATIONAL TRADE CO., LIMITED

For and on behalf of
JIANLONG (HONGKONG) INTERNATIONAL TRADE CO., LIMITED
建龍(香港)國際貿易有限公司

Authorized Signature(s)

Source: The Panel

Explanation from Jianlong (Hong Kong) International on the certificate of origin issued for the coal on board the *Dong Thanh*. The company had issued its certificate of origin based on and in addition to a certificate of origin issued by Eko Setyamoko's company Pt Bara Makmur Sadayana for the coal on board the *Dong Thanh*.

JIANLONG (HONG KONG) INTERNATIONAL TRADE CO., LIMITED
ROOM 1201, 12/F., SHANGHAI INDUSTRIAL INVESTMENT BUILDING, 48-62 HENNESSY ROAD, WANCHAI, HONG KONG

The Panel of Experts established
Pursuant to Security Council Resolution 1874
[redacted]

12 July 2019

Dear Sirs,

Enquiry Regarding Coal On-board M/V DONG THANH (the "Vessel")

We refer to your letter dated 21 June 2019 in relation to this matter and write in order to reply and address the issues raised therein.

Jianlong (Hong Kong) International Trade Co., Limited is a trading company which trades commodities (mainly iron ore, coke, coal and steel) on an international basis.

In this instance, we were in the middle of a series of sale contracts. The coal which was ultimately carried on-board the Vessel was sold to us by a company called Well Fortune (HK) Industrial Ltd ("**Sellers**"). We, in turn, had a contract to sell the cargo on to Eastern Steel Sdn. Bhd ("**Buyers**"). We are a procurement arm of the Buyers. The full contact details of those parties as gleaned from our correspondence and contracts with them, are as follows:

Sellers

Company name:	Well Fortune (HK) Industrial Ltd (裕昌（香港）实业有限公司)
Address:	Room 5008, Sports Science and Technology Center, Nanjing Olympics Sports Centre, Nanjing, China
Telephone:	(86) 02587781285
Contact persons:	Mr. Shen Gaoman - Managing Director & CEO (Mobile: (86) 13913823488; Email: shengm@wfortune-nj.com) Ms. Li Bo, Helen – Business Manager (Mobile: (86) 15051630742; Email: lb@wfortune-nj.com) Ms. Wang Mengting, Olivia – Business Assistant (Mobile: (86) 18602576797; Email: wangmt@wfortune-nj.com)

For and on behalf
JIANLONG (HONGKONG) INTERN
建龙(香港)国际
Auth

Buyers

Company name:	Eastern Steel Sdn. Bhd (东钢集团有限公司)
Address:	Lot 6293 & 6294, KawasanPerindustrianTeluk Kalong, MukimTeluk Kalong, 24000 Kemaman, Terengganu DarulIman, Malaysia
Telephone:	(609) 8604000
Fax:	(609) 8604065
Contact persons:	Mr. Yang Matao – Procurement Executive, Iron Ore Division (Email: yangmatao@ejianlong.com)

JIANLONG (HONG KONG) INTERNATIONAL TRADE CO., LIMITED
ROOM 1201, 12/F., SHANGHAI INDUSTRIAL INVESTMENT BUILDING, 48-62 HENNESSY ROAD, WANCHAI, HONG KONG

Our understanding at the time we entered into the contracts referred to above was that the cargo was of Indonesian origin. That remained our understanding until 22 April 2019, as further detailed below. That understanding was based on several documents provided to us by the Sellers, notably the following:

- The Sellers' initial Offer;
- The sale contract we concluded with the Sellers;
- The Bills of Lading;
- The Certificate of Origin provided by the Sellers; and
- The Certificate of Sampling & Analysis at the Load Port provided by the Sellers.

Copies of all of those documents are enclosed for your reference.

It was on the basis of those documents and that understanding that our company issued the Certificate of Origin and related documents referred to in your letter.

We trust you can see that our understanding of the position was a genuine one, based on a number of documents provided to us by our counterparty. It was only on 22 April 2019 that we became aware of any suggestion that the cargo was not of Indonesian origin. We immediately investigated the position and subsequently cancelled our contract with the Sellers in view of this development.

We hope it is clear from the above / enclosed that our company never had any intention of becoming involved in any activity which might expose our company to the risk of being in breach of the sanctions imposed on the DPRK. Rather, our company was, in this instance, misled by our counterparty and took immediate steps to reverse the situation once that came to light.

We trust this is helpful. If there is anything further we can do to assist, please do not hesitate to contact us and we should be glad to oblige.

Yours faithfully,

TIONAL TRADE CO., LIMITED
貿易有限公司
rized Signature(s)

Jianlong (Hong Kong) International Trade Co., Limited

For and on behalf of
JIANLONG (HONGKONG) INTERNATIONAL TRADE CO., LIMITED
建龍香港國際貿易有限公司
Authorized Signature(s)



Well Fortune(HK) Industrial Limited.
裕昌（香港）实业有限公司

报盘

1、**COMMODITY:** Indonesian Coal origin
货物名称：印尼煤

2、**QUANTITY: 11,000MT,** more or less 10%
数量：11000 吨+/-10%

3、**SPECIFICATION:** NET CALORIFIC VALUE 6000 KCAL / KG
指标：低位发热量 6000 千卡/千克

PARTICULARS 规格	**TYPICAL 参考标准**	**REJECTION 拒收标准**
Total Moisture (ARB) 全水分（收到基）	10%	≧ 14%
Ash Content (ADB) 灰份（空干基）	≦ 9%	
Volatile Matter (ADB) 挥发份（空干基）	≦ 9%	
Total Sulphur (ADB) 总硫（空干基）	<0.5%	≧ 0.8%
Net Calorific Value (ARB) 低位发热量（收到基）	≧ 6000 kcal/kg	≦ 5800 kcal/kg;
Size of Coal (0-50 mm) 粒度（0-50 毫米）	>90%	
Hard Grove Index (points)	45	

4、**DISCHARGE PORT:** KUANTAN port, MALAYSIA
卸货港：马来西亚关丹港

5、**PRICE:** The unit price for the Indonesian Coal purchased hereunder is USD 118.00 /MT (SAY ONE HUNDRED AND EIGHTEEN DOLLARS ONLY) CFR KUANTAN port, MALAYSIA, basis Net Calorific Value 6000 Kcal/kg (ARB), Total Moisture (ARB) 10%.
价格：本合同约定的印尼煤价格单价为基于下述条件：在买方指定的港口交货，收到基低位发热量 6000 千卡/千克，收到基全水分 10%为基准，货到马来西亚关丹码头 CFR 118 美元每吨。

6、**QUANTITY and QUALITY ADJUSTMENT:** 数量、质量调整

A. Total Moisture (as received).

If the Total Moisture on an as received basis of a shipment of Coal belows or exceeds 10%, then the price for invoicing shall be adjusted as follows:

1 / 2



Well Fortune(HK) Industrial Limited.
裕昌（香港）实业有限公司

Weight shown on Invoice = BL Weight × [(100%– Actual TM (ARB))] / (100% 10%)

A.全水分（收到基）

如果该批煤炭的收到基全水分，低于或超过 10%，则发票的重量应作如下调整：

发票重量 – 提单重量×（100% - 实际水份）/（100%-10%）

B. Net Calorific Value (as received)

The Price shall be USD118/ MT DIVIDED BY 6000kcal/kg AND MULTIPLYING THE ACTUAL net Calorific Value(ARB) RESULTS AS STATED ON THE RELATIVE CERTIFICATE OF QUALITY.

B. 低位发热量（收到基）

价格按照 118 美元/吨除以 6000 大卡乘以相关品质检验报告的实际发热量计算。

7、**PAYMENT**：100% irrevocable, documentary LC at sight

Within 3 days after contract signed Buyer issue an operative irrevocable at sight documentary Letter of Credit in favor of Seller covering 100% of the shipment value by Swift to the Seller.

90% shipment value should be paid by LC against receiving the full set of B/L documents.

Balance payment based on CCIC at discharging port.

付款方式: 100%不可撤销、即期信用证

合同签订后 3 日内买方开出不可撤销、100%船载货值、以卖方为受益人的即期信用证。

收到全套提单单据信用证议付 90%货款。

卸货港 CCIC 结果结算尾款。

This offer is valid before the cargo is sold, subject to the final confirmation of the seller.

此报盘货物未出售前有效，以卖方最终确认为准。

WELL FORTUNE (HK) INDUSTRIAL LIMITED
2019.3.19

2 / 2

Page 2
B/L No. BPN/KTN-01

CODE NAME : "CONGENBILL" EDITION 1994

BILL OF LADING

TO BE USED WITH CHARTER PARTIES
Reference No.

Shipper
PT. BARA MAKMUR SADAYANA

Consignee
TO ORDER OFWELL FORTUNE (HK) INDUSTRIAL LIMITED

Notify address
EASTERN STEEL SDN. BHD.LOT 6293 AND 6294,
KAWASAN PERINDUSTRIAN TELUK KALONG,
MUKIM TELUK KALONG,
24000 KEMAMAN TERENGGANU DARUL IMAN,, MALAYSIA

NON NEGOTIABLE COPY

Vessel
MV. DONG THANH VOY.03-19

Port of loading
TELUK BALIKPAPAN, INDONESIA

Port of discharge
KEMAMAN PORT, MALAYSIA

Shipper's description of goods

INDONESIAN COAL
~~CLEAN ON BOARD~~
FREIGHT PAYABLE AS PER CHARTER PARTY

Gross Weight
SAID TO WEIGHT
26,400 MTS

(of which on deck at Shipper's risk; the Carrier not being responsible for loss or damage howsoever arising)

Freight payable as per
CHARTER-PARTY dated ....

FREIGHT ADVANCE.
Received on account of freight:

....

Time used for loading .... Days .... Hours.

SHIPPED at the Port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge or so near thereto as she may safely get the goods specified above.
Weight, measure, quality, quantity, condition, contents and value unknown.
IN WITNESS whereof the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall be void.
FOR CONDITIONS OF CARRIAGE SEE OVERLEAF

Freight payable at
AS PER CHARTER PARTY

Place and date of issue:
TELUK BALIKPAPAN, INDONESIA
12 APRIL 2019

Number of original Bs/L
3/3

Signature
[redacted]

Printed and sold by
Fr. G. Knudtzons Bogtrykkeri A/S, 6 Toldbodgade, DK-1253 Copenhagen K.
Telefax + 4533931184
by authority of the Baltic and International Maritime Council
(BIMCO), Copenhagen.

717d3874304C

Original

1. Goods Consigned from (exporter's business name, address, country)

PT. BARA MAKMUR SADAYANA

Reference No: 0001965/SMD/2019

ASEAN TRADE IN GOODS AGREEMENT
ASEAN INDUSTRIAL COOPERATION SCHEME
CERTIFICATE OF ORIGIN
(Combined Declaration and Certificate)
FORM D
Issued in INDONESIA
(Country)
See Overleaf Notes

2. Goods Consigned to (Consignee's name, address, country)

TO ORDER

3. Means of transport and route (as far as known)

Departure date: APRIL 12th, 2019

Vessel's name/Aircraft etc: MV. DONG THANH VOY.03-19

Port of Discharge: KENAMAN PORT, MALAYSIA

4. For Official use

☐ Preferential Treatment Given Under ASEAN-CHINA Free Trade Area Preferential Tariff

☐ Preferential Treatment Not Given (Please state reason/s)

Signature of Authorised Signatory of the Importing Country

5. Item number	6. Marks and numbers on packages	7. Number and type of packages, description of goods (including quantity where appropriate and HS number of importing country)	8. Origin criterion (see notes overleaf)	9. Gross weight or other quantity and value (FOB)	10. Number and date of invoice
1	NO MARK IN BULK	INDONESIAN COAL	WO	26,400 TNE US$ 2,772,000	LHK-ES-190302 IC APRIL 12th, 2019

11. Declaration by the exporter

The undersigned hereby declares that the above details and statement are correct that all the products were produced in

INDONESIA
(Country)

and that they comply with the origin requirements specified for these products in the Rules of Origin for the ACFTA for the products exported to

MALAYSIA
(Importing Country)

SAMARINDA, APRIL 16, 2019
Place and date, signature of authorised signatory

12. Certification

It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.

ISSUING OFFICE IN PROVINSI KALIMANTAN TIMUR

Republic of Indonesia Certificate of Origin 16.00

Al Wardana

SAMARINDA, APRIL 16, 2019
Place and date, signature and stamp of certifying authority

13.

☐ Issued Retroactively ☐ Exhibition

☐ Movement Certificate ☐ Third Party Invoicing

Form D Serial : D - GBD - 3691



Coal, Mineral, Petrochemical

190922.0382

CERTIFICATE OF SAMPLING AND ANALYSIS

Description of Goods	: 26,400 MT INDONESIAN COAL
Quantity	: 26,400 MT
Vessel	: **MV. DONG THANH VOY.03-19**
Shipper	: **PT. BARA MAKMUR SADAYANA**
Port of Loading	: TELUK BALIKPAPAN, INDONESIA
Port of Discharge	: KEMAMAN PORT, MALAYSIA
Consignee	: **TO ORDER**
Notify Address	: **EASTERN STEEL SDN.BHD.LOT 6293 AND 6294** KAWASAN PERINDUSTRIAN TELUK KALONG, MUKIM TELUK KALONG, 24000 KEMAMAN TERENGGANU DARUL IMAN,, MALAYSIA
Date of Attendance	: APRIL 07 UP TO 12, 2019

THIS IS TO CERTIFY that we have performed the inspection, sampling and analysis of the coal consignment nominated above. Samples were taken in accordance with ASTM D 6883-17 and analyzed as per ASTM standard methods.

The following results were obtained

Parameter	Designation	Basis		Results	
Total Moisture	ASTM D 3302M-2017	(As Received Basis)	:	8.27	PCT
Inherent Moisture	ASTM D 3173M-17a	(Air Dried Basis)	:	2.21	PCT
Ash Content	ASTM D 3174-12	(Air Dried Basis)	:	11.18	PCT
Volatile Matter	ASTM D 3175-17	(Air Dried Basis)	:	6.43	PCT
Fixed Cabon	ASTM D 3172-13	(Air Dried Basis)	:	80.15	PCT
Total Sulfur	ASTM D 4239-17	(Air Dried Basis)	:	0.33	PCT
Gross Calorific Value	ASTM D 5865-13	(Air Dried Basis)	:	6,355	Kcal/Kg
Gross Calorific Value	ASTM D 5865-13	(As Received Basis)	:	5,972	Kcal/Kg
Net Calorific Value	ASTM D 5865-13	(As Received Basis)	:	5,810	Kcal/Kg
HGI	ASTM D 409 / D40M-16		:	58	
Size 0-50 MM	ASTM D 4749-87		:	95.76	PCT
AFT (IDT)	ASTM D 1857 / D1857M 17		:	1,270	°C
Na_2O in Ash	ASTM D 3582-13	(Dry Basis)	:	0.97	PCT
K_2O in Ash	ASTM D 3582-13	(Dry Basis)	:	1.50	PCT

SAMARINDA, APRIL 16, 2019
Signed on behalf of
PT CARSURIN

TAJAT SUDRAJAT
Laboratory Manager

For verification of authenticity of certificate or reports, please contact us at coal.sales@carsurin.com.

| Wisma 77 - Tower 2, 19th Floor, Jl. Letjen S. Parman Kav.77 - Slipi, Jakarta 11410, INDONESIA |
| P : +62.21.2967 5868 | F : +62.21.2967 5818 / 28 | E : coal@carsurin.com ; headoffice@carsurin.com | www.carsurin.com |

19077651

This report is made and issued by the Company upon the Principal/Applicant's request and the analysis contained therein reflects the Company's findings on the analysis sample submitted by Principal/Applicant and or sample drawn by the Company at the time and place of performing the inspection/testing only. Furthermore, the Company shall not be responsible to any parties on any business and or any legal consequences for any transaction by using this report/analysis.

Source: The Panel

Annex 10: Cargo documents prepared for *Ken Orchid* for the original transshipment of coal onboard the *Wise Honest* in April 2018

REQ Vessel for 26,500 MT Coal ex. Indonesia to Korea

发件人：WAHYU KUSDIANTORO
收件人：JOE YU
抄 送：chartering；wahyu.kusdiantoro
时 间：2018-04-07 11:34

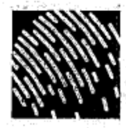
To : Global Qingdao Shipping Co Ltd
Fm : Wahyu Kusdiantoro/PT Karana Line
Subj: REQ Vessel for 26,500 MT Coal ex. Indonesia to Korea
Dd : 07/04/2018

Dear Mr Joe Yu and team,

Can you assist in providing vsl for following firm?

Shipper: PT Bara Makmur Sadayana
Charterer: To be nominated
Commodity: Steamed coal in bulk
Quantity: 26,500 MT
Loading port: 1SA Teluk Balikpapan Kalimantan Indonesia
Discharging port: 1SA 1SB Pohang Korea
Loading/discharging rate: 8000/10000MT Perday
Laycan: Prompt
Freight: USD14.50/MT FIOST Bss 1/1
Grabber vsls is preferable
Other as per gencon cp
Subj to further details
Substem to be lifted 24 hrs working day
END

Kind regards,
Wahyu Kusdiantoro
Marketing Staff PT Karana Line
Mob: +62812-132-8025 E: wahyu.kusdiantoro@karana.co.id Web: www.karana.co.id
Sent from my mobile
--



QINGDAO GLOBAL SHIPPING CO., LIMITED

青 岛 环 球 航 运 有 限 公 司

FREIGHT DEPOSIT INVOICE - MV KEN ORCHID CP 09 APRIL 2018

INV NO. QGS-180418-1 **DATE: 18TH APRIL 2018**

TO : PT. KARANA LINE

JL MELATI NO 123 KOJA TANJUNG PRIOK JAKARTA 14230 INDONESIA

FM : QINGDAO GLOBAL SHIPPING CO., LIMITED

CGO/QTY: MIN/MAX: 26500MT BLK COAL

1SAP BALIKPAPAN / 1SBP POHANG LAYCAN 21-22 APRIL 2018

FRT RATE: USD 15.75/PMT FIOST 1/1

FREIGHT DEPOSIT AMOUNT: (26500MT X USD 15.75) X 20PCT = **USD 83475.00**

KINDLY PLS REMIT THE SAID AMOUNT IN **USD 83475.00** TO THE OWNERS BANK A/C ASF:

BENEFICIARY'S BANK:

[redacted]

INTERMEDIATIARY BANK:

USD: CITIBANK, NEW YORK

SWIFT: CITIUS33

IN FAVOUR OF: QINGDAO GLOBAL SHIPPING CO., LIMITED

ROOM 2105 QD TREND CENTRE 29-31 CHEONG LEE STREET CHAI WAN, HK

USD A/C: OSA11014552905006

For and on behalf of
QINGDAO GLOBAL SHIPPING CO., LIMITED
青島環球航運有限公司

Authorized Signature(s)

QINGDAO GLOBAL SHIPPING CO., LIMITED

[redacted]

IKAROS SHIPPING & BROKERAGE LTD

LETTER-01

NOTICE OF READINESS

M/V	**" KEN ORCHID "**	Port :	**BALIKPAPAN**
To:	**PT.WIRATRANS SAMUDERA**	Date:	**22 April 2018**
To:	**Whom it may concern**		

This is to advise you that MV "KEN ORCHID" under my command arrived Port of BALIKPAPAN

On 22 April 2018 at 15:42 hours local time / 07:42 hours UTC

and she is ready in all respects to load her cargo in accordance with all terms conditions, provisions and exemptions of the governing Charter Party.

Please consider this as a Notice of Readiness and notify all parties concerned accordingly.

Master of the m/v " KEN ORCHID

Cpt.OleksandrTereschenko

M/V KEN ORCHID MONROVIA CALL SIGN: A8V22 GRT: 47019 NRT: 10168 LIBERIA

Tendered on: Date: **22 April 2018**Time: **15:42Hrs LT/ 07:42 hours UTC**

Nor Accepted by (For and behalf of the Charterers)

....

On Date............................. Time .... Hrs (LT)

Source: The Panel

Annex 11: Iran's reply to the Panel



Permanent Mission of the Islamic Republic of Iran to the United Nations

622 Third Ave New York, NY 10017 www.Iran-UN.org Tel:+1(212)687-2020 Fax:+1(212)867-7086 E-mail: Iran@un.int

In the name of God, the most Compassionate, the most Merciful

No. 110731 30 July 2019

Dear Sir,

I am writing in response to your letter dated 1 July 2019 (S/AC.49/2019/PE/OC.50) with regard to the implementation of the measures imposed by Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016) and 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017) for the situation in the Democratic People's Republic of Korea (DPRK).

Having carefully reviewed your letter, Iranian authorities affirmed once again that the Islamic Republic of Iran has no military-related cooperation with the DPRK.

In our letter dated 19 December 2018 (No.106192), it was stated that "no entity or individual, designated pursuant to the relevant resolutions of the Security Council on the DPRK, is present or active in the Islamic Republic of Iran". The latest available data confirms the very same fact for the period of the past seven months.

Consistently, the Korea Mining Development Technology Corporation and Saeng Pi'l (aka Green Pine Associated Corporation) do not maintain offices in Iran and have no activity therein.

Moreover, no "representatives of the Korea Mining Development Technology Corporation" were in Iran "under cover of diplomatic assignments" in the past seven months, contrary to a claim by "a Member State".

The diplomatic activities of the DPRK in the Islamic Republic of Iran have so far been in line with the relevant conventions or resolutions, and the Iranian authorities have not observed any illicit activities. Additionally, the activities of the DPRK diplomats accredited to the Islamic Republic of Iran have been in conformity with the relevant applicable rules and international obligations.

It shall be further reiterated that there are no DPRK nationals registered to be residing in the Islamic Republic of Iran other than its diplomats.

The Islamic Republic of Iran is committed to constructive engagement and full cooperation with the Panel and Experts established pursuant to Security Council Resolution 1874 (2009) and would review any viable evidence and credible information with regard to alleged actions in violation of the relevant Security Council sanctions.



Permanent Mission of the Islamic Republic of Iran to the United Nations

622 Third Ave New York, NY 10017 www.Iran-UN.org Tel:+1(212)687-2020 Fax:+1(212)867-7086 E-mail: Iran@un.int

The United Nations mechanisms, especially those related to Security Council sanctions, shall not allow any misuse for provocative political aims, but rather need to act in an objective, impartial and professional manner. Hence, the Panel is advised to avoid inclusion in its reports of such claims that are evidently transmitted based on political motivations.

Please accept the assurances of my highest consideration.

M.T.R.

Majid Takht Ravanchi
Ambassador
Permanent Representative

Alastair Morgan
Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)

Source: Member State

Annex 12: Passport information and recent entry/exit record of Kim Tong Chol to Namibia

Date	Entry/exit to/from Namibia	Passport number	Passport type
23/09/2017	Exit	927234267	Ordinary
24/08/2018	Entry	108120258	Service
30/04/2019	Exit	108120258	Service
07/05/2019	Entry	108120258	Service
17/05/2019	Exit	108120258	Service

Source: The Panel, Member State

Annex 13: List of DPRK Trading Corporations subordinate to the Munitions Industry Department (KPe.028) reported by a Member State

Kuryonggang Trading Corporation (구룡강무역회사)

Ryungseng Trading Corporation (륭성무역회사)

Tangun Trading Corporation (단군무역회사)

Hangryon Trading Corporation (항련무역회사)

Ryonbong General Corporation (련봉총회사)

5 Trading Corporation (5무역회사)

Pugang Trading Corporation (부강무역회사)

Mirae Trading Corporation (미래무역회사)

Ryonhap Trading Corporation (련합무역회사)

Advanced Technology Trading Corporation (첨단기술무역회사)

Jinhung Joint Production Corporation (진흥합작회사)

Sobaeksu United Corporation (소백수련합회사)

Pihosan Trading Corporation (비호산무역회사)

Sinhung IT Trading Corporation (신흥정보기술무역회사)

Chonryong Trading General Corporation (천룡무역총회사)

Taesong Trading Corporation (조선태성무역회사)

Peace Motors Corporation (평화자동차회사)

Taeryonggang Trading Corporation (대령강무역회사)

Source: Member State

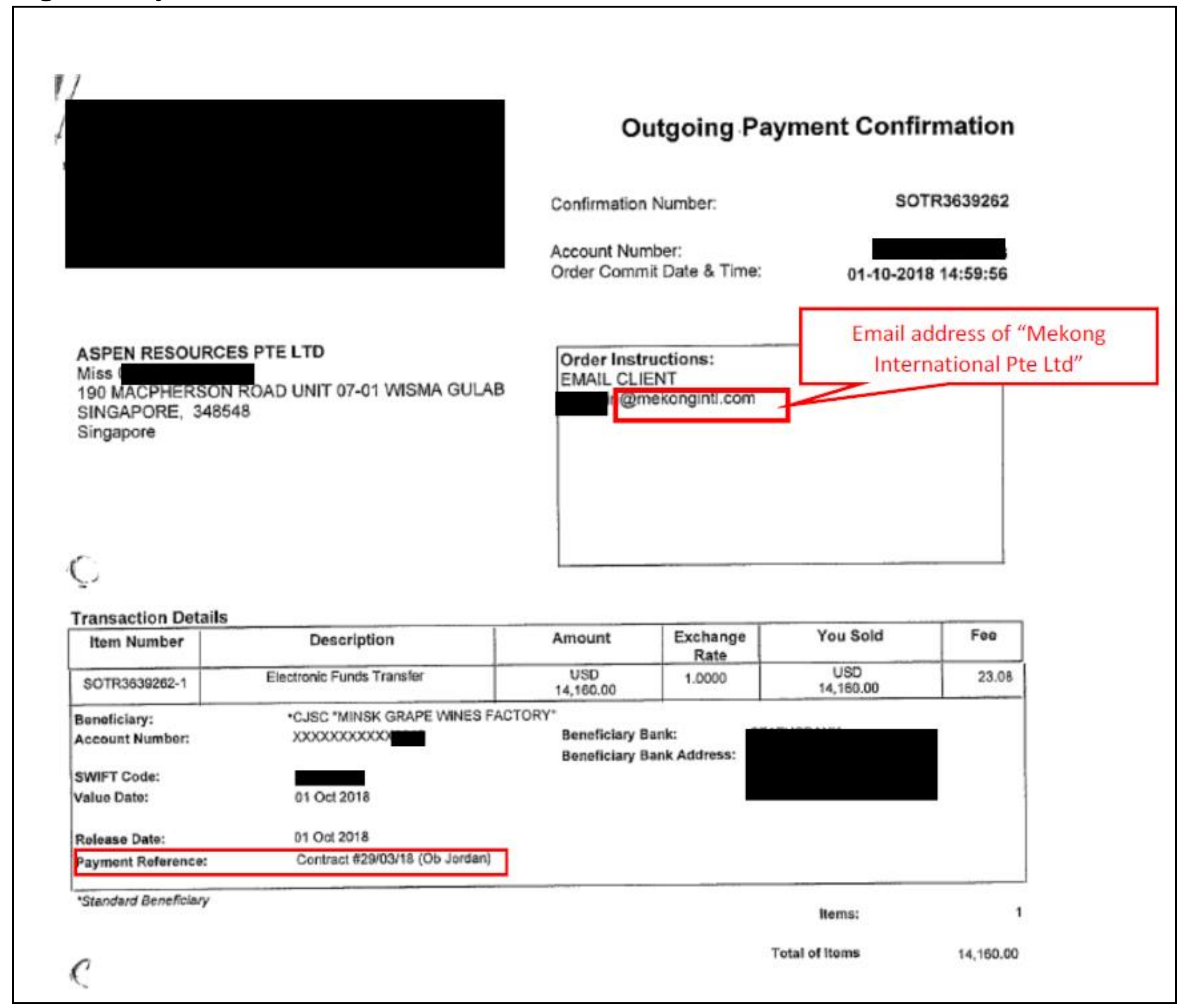
Annex 14: Vodka seizures

1. A Member State informed the Panel that it seized two shipments of vodka, which it classified as luxury goods, on the grounds of being destined for the DPRK.

2. The first seizure on 20 November 2018 was of 15,600 bottles of Belarusian vodka acquired for USD 14,160. The producer was the same as in a previous vodka seizure investigated by the Panel in 2018.[50] Documents accompanying the shipment identified the consignee as Hongkong Jieming Industrial Co. Limited[51]. An addendum dated 28 September 2018 to the contract signed six months earlier on 28 March added a Singaporean company, Aspen Resources Pte Ltd[52], a human resource agency, as a payer. The owner of the company, Sai Keong Cheang, a.k.a. Jordan Cheang[53], replied to the Panel that the USD 14,160 payment had been made at the request of an acquaintance, known to him only as “Ms. Li”, for the purchase of red wine. However, the amount of payment and payment reference number listed on the payment confirmation is the same as for the vodka shipment contract. Furthermore, an e-mail address on this payment confirmation indicated that one of his other companies, Mekong International Pte Ltd,[54] had been used to make this payment on behalf of Cheang (Figure). The Panel has yet to receive a reply from Hongkong Jieming Industrial Co. Limited.

[50] S/2019/171 paras 105 and 106.
[51] 香港杰明實業有限公司. Address listed on Hong Kong Companies Registry acquired in May 2019: Room 1506, 15/F, Loon Kee Building. No. 267-275, Des Voeux Road Central, Hongkong, China. This company has frequently changed its registered address and management.
[52] Address: 190 Macpherson Road, #07-01, Singapore 348548
[53] Singaporean citizen, born in 1972.
[54] This company shares an address with Aspen Resources and his seven other companies; Aspen Corporation Pte ltd, Aspen Incorporation Pte Ltd, Baron & Baron Pte Ltd, Galaxy Energy Service Pte Ltd., Le Tong Resources Pte Ltd, Xtrada Pacific Pte Ltd. Autech Pte Ltd.

Figure: Payment confirmation



[redacted]

Outgoing Payment Confirmation

Confirmation Number: SOTR3639262

Account Number: [redacted]
Order Commit Date & Time: 01-10-2018 14:59:56

ASPEN RESOURCES PTE LTD
Miss [redacted]
190 MACPHERSON ROAD UNIT 07-01 WISMA GULAB
SINGAPORE, 348548
Singapore

Order Instructions:
EMAIL CLIENT
[redacted] @mekongintl.com

Transaction Details

Item Number	Description	Amount	Exchange Rate	You Sold	Fee
SOTR3639262-1	Electronic Funds Transfer	USD 14,160.00	1.0000	USD 14,160.00	23.08

Beneficiary: *CJSC "MINSK GRAPE WINES FACTORY"
Account Number: XXXXXXXXXX[redacted]
Beneficiary Bank: [redacted]
Beneficiary Bank Address: [redacted]
SWIFT Code: [redacted]
Value Date: 01 Oct 2018
Release Date: 01 Oct 2018
Payment Reference: Contract #29/03/18 (Ob Jordan)

*Standard Beneficiary

Items: 1

Total of Items 14,160.00

Source: The Panel

3. In a second case, a shipment of 90,000 bottles of Russian vodka for a total of USD 27,125 was seized on 21 February 2019. The consignee was a company in Inner Mongolia, Manzhouli Kesheng Trade Co., Ltd.[55], which promotes itself as a Russian food importer. To the Panel's inquiry on the shipping company of this vodka, China replied that "Based on the information obtained by the Chinese side, DPRK-related factors are not found in this case. China proposes that the Panel request relevant Member State to provide solid evidence to show that the DPRK is the final destination of the goods. Besides, vodka is not clearly specified as prohibited item by the Security Council, and the Panel's investigation on this case lacks sufficient legal basis." The Panel has yet to receive replies to its inquiries from the consignee[56]. Investigation continues.

[55] 满洲里科圣贸易有限责任公司, Room 170, No. 17 Building, The North Port, Gemini West Tower, Manzohuli City, China.

[56] On 29 July 2019, the Russian Federation replied to the Panel's inquiry to an entity which is the producer and sender of the vodka.

Annex 15 : DPRK bank representatives subject to expulsion under paragraph 33 of resolution 2321 (2016)

Names	Title and activities	Location	DOB / Passport number / expiry UN Security Council designations where applicable
Jang Bom Su (aka Jang Pom Su, Jang Hyon U) 장범수	Tanchon Commercial Bank (hereafter TCB) Representative. Also operates in and travels to Lebanon under various aliases	Syria	22 Feb 1958; Dip PP no. 836110034, exp 1 Jan 2020 UN res 2270 (2016) designated him as "Tanchon Commercial Bank Representative in Syria" on 2 March 2016 (amended 5 Aug. 2017) KPi.016
Jon Myung Guk (a.k.a. Cho'n Myo'ng-kuk, Jon Yong Sang) 전명국 (전영상)	Tanchon Commercial Bank (hereafter TCB) Representative in Syria. Also travels to and operates in Lebanon under various aliases.	Syria	25 Aug. 1976 with dip PP number 836110035, expires 1 January 2020
Ryom Huibong (aka Ryo'M Hu'I-Pong) 렴희봉	Representative of Korea Kumgang Group Bank (aka KKG bank, 금강은행 Kumgang Export and Import Bank, 金刚银行)	Dubai, UAE	18 September 1961 PP No.: 745120026 (expires 20 January 2020)
Ri Sun Chol (Aka Ri Song Chol) 리선철 (리성철)	Representative of Korea Kumgang Group Bank Transported money of DPRK laborers in the Middle East to the DPRK	Dubai, UAE	28 March 1964 PP No.:836132137
Kwak Chongchol (Aka Kwak Jong-Chol) 곽정철	Deputy Representative of Korea Kumgang Group Bank	Dubai, UAE	1 January 1975 PP No.: 563220533
Ro Il Gwang 로일광	Korea Kumgang Group Bank	UAE	26 May 1983 PP No.: 836434467
Kim Kyong Il (Aka Kim Kyo'ng-il 김경일	Foreign Trade Bank Representative. The office opened at least 5 accounts at Banque International Arabe Tunisie (BIAT) in Tunisia. Two of them are in the name of a front company, Kartos. Kim Kyong Il has also been involved in transactions undertaken by Daedong Credit Bank in China.	Libya	1 August 1979; PP No. 836210029 Res 2397 (2017) designated him as "FTB deputy chief representative in Libya" on 22 December (KPi.067)

Choe, Un Hyok 최은혁	Unification Development Bank (or Korea Unification Development Bank, UDB or KUDB) representative. Replaced Ri Un'So'ng. Choe Un Hyok's KUDB business card with his title of "Representative of KUDB, Moscow Russia" with the same address as the Embassy in Moscow is available in the Panel's 2017 Final Report, S/2017/150 p. 251. *Russia replied in a letter of 25 January 2018, "We will inform you accordingly in case we receive additional information on the whereabouts of Choe Un Hyok." The Panel has not received any additional information in reply to its two follow-up letters.*	Moscow, Russia	19 October 1985 PP No.: 83612287 (expires March 2021)
Chu Hyo'k (Aka Ju Hyok) 주혁	Foreign Trade Bank Representative *Russia replied Chu Hyo'k is not currently residing in Russia. (see below)*		23 Nov. 1986; PP No. 836420186, issued 28 Oct. 2016 (expires 28 Oct 2021) Res 2397 (2017) designated him as an "overseas FTB Representative" on 22 December (KPi.065)
Ri U'n-so'ng (aka Ri Eun Song; Ri Un Song) 리은성	Korea Unification Development Bank representative *Russia replied that Ri U'n-so'ng is not currently residing in Russia.*		23 July 1969 Res 2397 (2017) designated him as "overseas Korean Unification Development Bank representative" on 22 December (KPi.078)
Han Jang Su (aka Chang-Su Han) 한장수	Chief Representative of the Foreign Trade Bank The Russian Federation replied, *Mr. Han Jang Su is the Third Secretary of the Commercial Counsellor's Section of the Embassy of the Democratic People's Republic of Korea to the Russian Federation and has been officially accredited by the Russian Ministry of Foreign Affairs. He entered the Russian Federation on 23 June 2017 and is staying in the country legally. No information is available concerning activities that are inconsistent with his official status.*	Russian Federation	8 Nov. 1969; PP No.: 745420176 (expires 19 Oct 2020 Designated by Resolution 2371 (2017) as "Chief Representative of the Foreign Trade Bank"
Ku Ja Hyong (aka Ku Cha-hyo'ng) 구자형	Foreign Trade Bank Representative	Libya (also travelled to Tunisia, UAE, and Saudi Arabia 2015-2017)	8 September 1957; PP No.: 563220533; Another PP No.: 654210218 (expires 27 June 2019 - used in July 2016) Res 2397 (2017) designated him as "FTB chief representative in Libya" on 22 December 2017 (Kpi.070)

Ch'oe So'k-min 최석민	Foreign Trade Bank Representative. In 2016, Ch'oe So'k-min was the deputy representative at the FTB branch office in Shenyang. He has been associated with cash transfers from that FTB office to banks affiliated with DPRK special organizations and RGB located overseas. *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Shenyang China	25 July 1978 Res 2397(2017) designated him as "overseas FTB Representative" on 22 December (KPi.064)
Kim Tong Chol (aka: Kim Tong-ch'o'l) 김동철	Foreign Trade Bank Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Shenyang, China	28 Jan 1966; PP No.: 381337404 (expires 26 Sept 2016) Res 2397 (2017) designated him as "overseas FTB representative" on 22 December (KPi.068)
Ko Chol Man (aka Ko Ch'o'l-man) 고철만	Foreign Trade Bank Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Shenyang, China	30 September 1967; PP No. 472420180 Res 2397 (2017) designated him as "overseas FTB representative" on 22 December (KPi.069)
Mun Kyong Hwan (aka Mun Kyo'ng-hwan) 문경환	Bank of East Land Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Dandong, China	22 August 1967; PP No. 381120660 exp. 25 March 2016 Res 2397 (2017) designated him as "overseas Bank of East Land representative" on 22 December (KPi.071)
Pae Won Uk (aka Pae Wo'n-uk) 배원욱	Korea Daesong Bank Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Beijing, China	22 August 1969; PP No.: 472120208 exp 22 Feb 2017 Res 2397 (2017) designated him as "overseas Daesong Bank representative" on 22 December (KPi.072)
Pak Bong Nam (aka Lui Wai Ming; Pak Pong Nam; Pak Pong-nam) 박봉남	Ilsim International Bank representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Shenyang, China	06 May 1969 Res 2397 (2017) designated him as "overseas Ilsim International Bank representative" on 22 December 2017 (KPi.073)
Pak Mun Il 박문일	Korea Daesong Bank Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Yanji, China	1 January 1965; PP No.: 563335509 (expires 27/8/2018) Res 2397 (2017) designated him as "overseas official of Korea Daesong Bank" on 22 December 2017 (KPi.079)

Ri Chun Hwan (Aka Ri Ch'un-hwan) 리춘환	Foreign Trade Bank Representative *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Zhuhai, China	21 August 1957' PP No: 563233049 (expires 9 May 2018); PP No.: 563233049 (expires 9 May 2018) Res 2397 (2017) designated him as "overseas FTB representative" on 22 December (KPi.074)
Ri Chun Song (Aka Ri Ch'un-so'ng) 리춘성	Foreign Trade Bank Representative. Opened a Euro account at International Arab Bank of Tunisia (BAIT) on 18 July 2012 in the name of "Secretary's Delegate of the DPRK's Mission to Tripoli" (closed on 22 August 2013. *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Beijing, China	30 October 1965; PP No. 654133553 (expires 11 March 2019) Res 2397 (2017) designated him as "overseas FTB representative" on 22 December (KPi.075)
Ri Song-hyok (Aka Li Cheng He) 리성혁	Representative for Koryo Bank and Koryo Credit Development Bank. Reportedly established front companies to procure items and conduct financial transactions on behalf of DPRK *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Beijing, China	19 March 1965 PP No. 654234735 (expires 19 May 2019) Res 2397 (2017) designated him as "overseas representative for Koryo Bank and Koryo Credit Development Bank" on 22 December (KPi.077)
Pang Su Nam (Aka Pang So-Nam, Pang Sunam) 방수남	Ilsim (ILSIM) International Bank Representative *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Zhuhai, China	1 October 1964; PP No.: 472110138
Cha Sung Jun (Aka Ch'a Su'ng-chun) 차승준	Korea Kumgang Group Bank Representative. Has held several accounts in his name at Chinese banks and is suspected of operating a cover company. *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Beijing, China	4 June 1966; PP No.: 472434355
Kim Kyong Hyok (Aka Kim Kyo'ng-hyo'k) 김경혁	Representative, Cheil Credit Bank / First Credit Bank *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Shanghai, China	5 November 1985; PP No.: 381335989 (expires 14 September 2016)

Pak Ch'O'l-Nam 박철남	Representative, Cheil Credit Bank / First Credit Ban. Opened 6 bank accounts in the name "Great Prince Limited (崇王有限公司)"in banks in Hong Kong and Shenzhen, China" China replied, *"The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Beijing, China	16 June 1971 PP No.: 745420413 (expires 19 November 2020)
Jo Chol Song (Aka Cho Ch'o'l-So'ng) 조철성	Deputy Representative for the Korea Kwangson Banking Corporation (KKBC) Uses false entity names for the KKBC, such as "Good Field Trading Limited (城豐貿易有限公司)" and "Golden Tiger Investment Group (金虎(香港)國際投資集團有限公司)", both registered in Hong Kong. *China stated, "China has closed all the representative offices of the DPRK financial institutions in China, and all the relevant representatives in China have left China."*	Dandong, China	25 September 1984 PP: 654320502 (expires 16 September 2019) Res 2371(2017) designated him as "Representative for Korea United Development Bank" on 5 Aug (KPi.058)
Ho Young Il (Aka Ho' Yo'ng-il) 허영일	Hana Bank Representative In 2016, Ho Young Il was associated with a high volume of USD transactions for the FTB. *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Dandong China	DOB: 9 September 1968
Kim Mun Chol (Aka Kim Mun-ch'o'l) 김문철	Representative for Korea United Development Bank. Uses false entity names including "Chongryu Technical Company" or "Kyong Un Trading Company" China replied "that as a designated individual he has been blocked from entry and Chinese banks requested the freeze of his assets.	Dandong, China	DOB 25 March 1957 Res 2371(2017) designated him as "Representative for Korea United Development Bank" on 5 Aug (KPi.060)
Choe Chun Yong (Aka Ch'oe Ch'un-yo'ng) 최천영	Ilsim International Bank Representative		PP no: 654410078 Res 2371(2017) designated him as "Representative for Ilsim International Bank" on 5 Aug (KPi.054)

Ko Tae Hun (Aka Kim Myong Gi) 고태훈 (or 고대훈) (aka 김명기)	Tanchon Commercial Bank Representative	Transited China, Ethiopia, UAE, visited Sudan[57]	25 May 1972; PP 563120630 (expires 20 March 2018) UN Res 2270 (2016) designated him as "Tanchon Commercial Bank (TCB) official" on 2 March (KPi.025)
Kang Min 강민	Daesong Bank representative who, in late 2016, held Chinese bank accounts. *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Beijing, China	07 May 1980; PP 563132918 (expires 04 February 2018)
Kim Sang Ho 김상호	Representative, Korea Daesong Bank As of 2015, Kim Sangho was an Office 39 official posted as a Korea Daesong Trading Company representative in Yanji, China. *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Yanji, China	16 May 1957 PP No.: 563337601 (expires: 26 September 2018)
Kim Jong Man (Aka Kim Cho'ng Man) 김정만	Representative, Korea Unification Development Bank. In 2015, he was an Office 39 official posted to Hong Kong. *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Zhuhai, China	16 July 1956; PP No.: 918320780
Kim Hyok Chol (Aka Kim Hyo'k-Cho'l, Hyok Chol Kim 김혁철	Deputy Representative, Korea Unification Development Bank *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Zhuhai, China	9 July 1978; PP No.: 472235761 (expires 6 June 2017)

[57] See S/2017/150, p. 64

Ri Ho Nam (aka Ri Ho-nam) 리호남	Ryugyong Commercial Bank branch representative (2014 to present) *China replied, "The other DPRK individuals mentioned in the Panel's report are neither included in the sanction list of the Security Council resolutions nor registered in China as the representatives of the DPRK financial institutions. China cannot verify and confirm whether they have relationship with the DPRK financial institutions."*	Beijing, China	DOB: 3 January 1967; PP No.: 654120210 (expires 21 February 2019
Ms. Kim Su Gyong 김수경	Korea United Development Bank (KUDB) Representative. Since 2011 made multiple trips around Europe, especially in France and Italy, with the assistance of her father, Kim Yong Nam, and brother, Kim Su-Gwang, RGB agents who used their status as staff members of international organizations to help her obtain visas. Kim Su-Gwang (Kim Sou Kwang) recently departed Belarus. See: S/2017/742 para 50 and S/2016/15, para 187.	Europe, also transited UAE and the Russian Federation [58]	DOB: 16 Jan 1973; PP 745120374
Mun Cho'ng-Ch'o'l 문정철	Tanchon Commercial Bank Representative. Has facilitated transactions for TCB.		Res 2094 (2013) designated him as "Tanchon Commercial Bank (TCB) official" on 7 March (KPi.012)
Jong Song Ho	President of the Jinmyong Joint Venture Bank/Jinmyong Joint Bank – 진명합영은행. Jong Song Ho helped arranged the sale of a shipment of DPRK coal aboard the *Wise Honest* through an Indonesian broker with the final listed recipient being the ROK company, Enermax. See S/2019/171, para 36 (business card at Annex 19).	Indonesia	
RI, Jong Won (a.k.a. RI, Cho'ng-Wo'n; a.k.a. RI, Jung Won) 리 정 원	Foreign Trade Bank Representative. Russia replied to the Panel, "Mr. Ri Jong Won arrived in Russia on 5 February 2018 as an officially accredited member of the Embassy of the Democratic People's Republic of Korea to the Russian Federation. It is not known what information was used to determine that he is the Moscow-based deputy representative of the Foreign Trade Bank. Moreover, according to the available information, he returned to the Democratic People's Republic of Korea on 8 October 2018."		DOB 22 Apr 1971; PP PS654320421 (exp 11 Mar 2019)
Choe Song Nam CHOE, Song Nam (aka CH'OE, So'ng-nam) 최성남	Representative of Daesong Bank		DOB: 07 Jan 1979; Passport 563320192 expires 09 Aug 2018

[58] The Russian Federation informed the Panel that unilateral sanctions were "not an argument for suspicion of unlawful activities on Russian territory".

Kim Chol KIM, Chol (a.k.a. KIM, Ch'o'l) 김철	Representative of Korea United Development Bank		DOB 27 Sep 1964
Paek Jong Sam PAEK, Jong Sam (a.k.a. PAEK, Chong-sam) 백종삼	Representative of Kumgang Bank		DOB 17 Jan 1964
Ko Il Hwan KO, Il Hwan (a.k.a. KO, Il-hwan) 고일환	Representative of Korea Daesong Bank. According to a Member State, he engaged in transactions for ship-to-ship transfers in 2018 while acting as representative of Daesong Bank in Shenyang.		DOB 28 August 1967 Passport 927220424 expires 12 Jun 2022
Ri Myong Hun RI, Myong Hun (a.k.a. RI, Myo'ng-hun) 리명훈	Representative of Foreign Trade Bank		DOB 14 Mar 1969; Gender Male; Passport 381420089 expires 11 Oct 2016
Kim Nam Ung 김남웅	Representative for Ilsim International Bank, which is affiliated with the DPRK military and has a close relationship with the Korea Kwangson Banking Corporation. Ilsim International Bank has attempted to evade United Nations sanctions.		Passport no.: 654110043 Res 2371(2017) desigmated him as Representative for Ilsim International Bank
RI, Jong Won (a.k.a. RI, Cho'ng-Wo'n; a.k.a. RI, Jung Won)	The Russian Federation replied, *Mr. Ri Jong Won arrived in Russia on 5 February 2018 as an officially accredited member of the Embassy of the Democratic People's Republic of Korea to the Russian Federation. It is not known what information was used to determine that he is the Moscow-based deputy representative of the Foreign Trade Bank. Moreover, according to the available information, he returned to the DPRK on 8 October 2018.*		DOB: 22 Apr 1971; Passport no 654320421 expires 11 Mar 2019

Source: The Panel, Member States and UN documents

Annex 16 : DPRK financial institutions with overseas representatives

Names, alias, Korean and Chinese spelling	HQ address / phone / fax/ SWIFT	Security Council designations and information provided to Panel by Member States and United Nations resolutions
Bank of East Land 동방은행 aka: Haedong Bank (해동은행), Dongbang Bank, Tongbang U'Nhaeng, Tongbang Bank, (朝鲜）东方银行	BEL Building, Jonsung-Dong, Pyongyang Tel: +850 2 18111 Fax: +850 2 3814410	Res 2087 (2013) on 22 January 2013 (KPe.013) Info in UN Panel reports: S/2017/150; pp 76-77 and S/2017/742, para 61. Facilitates weapons-related transactions for, and other support to, arms manufacturer and exporter Green Pine Associated Corporation. Has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions.
Credit Bank of Korea 조선신용은행 aka Korea Credit Bank, International Credit Bank, 朝鲜信用银行	Munsu Street, Central District, Pyongyang +850 2 3818285 +850 2 3817806	
Daedong Credit Bank [JV] 대동신용은행 大同信用银行 Aka Taedong Credit Bank, Dae-Dong Credit Bank, DCB Finance Ltd, Perigrine-Daesong Development Bank	Suite 401, Potonggang Hotel, Ansan-Dong, Pyongchon District, Pyongyang, (b) Ansan-dong, Botonggang Hotel, Pongchon, Pyongyang, +850 2 3814866 SWIFT: DCBK KPPY	Res 2270 (2016) on 2 March 2016 (KPe.023) Representative offices and front companies in China according to Panel: S/2017/150, paras 225-230 and S/2017/742, paras 51-56. Clients include: T Specialist International (Singapore) Ltd, OCN (Singapore) International Distribution Ptd Ltd; Pan Systems; Dalian Daxin Electron Co Ltd, Hongdae International, Yueda International Trading Co, Hing Heng, Korea Sinheung Trading Co, Hana Electronics. Joint venture with Korea Daesong Bank; majority stake acquired by a Chinese company. See current report, paragraphs XX.
Daesong Credit Development Bank [JV] 대성신용개발은행 Koryo Credit Development Bank (고려글로벌신용은행), Koryo Global Trust Bank, Koryo-Global Credit Bank, Korea Credit Investment Company (조선신용투자회사)	Daesong Credit Development Bank [Joint Venture] +850 2 381 4100 +850 2 341 4013	
First Eastern Bank	Rason, DPRK	Affiliated with Central Bank and Unaforte (Italy and Hong Kong, China). See Panel report S/2017/150 para 221.

Foreign Trade Bank (FTB) 조선무역은행 朝鲜贸易银行 aka: Mooyokbank, Korea Trade Bank, Mooyokbank	FTB Building, Jungsong dong, Central District, Pyongyang Tel: +850 2 18111 Fax: +850 2 3814467 SWIFT/BIC FTBD KP PY	Res 2371 (2017) on 5 Aug 2017 (KPe.047) State-owned bank which acts as the DPRK's primary foreign exchange bank and has provided key financial support to the Korea Kwangson Banking Corporation. See para X on registered office abroad.
International Consortium Bank (ICB) 국제합영은행 Hi-Fund Bank International Consortium Bank (ICB), Sungri Hi-Fund International Bank, Sungri Economic Group	Sungri Exhibition Hall, Pyongyang	
Jinmyong Joint Venture Bank/Jinmyong Joint Bank *진명합영은행*	Pyongyang Tel: +85-02-18111-381-8161 **Fax:** +85-02-381-4410 **Associated Factory:** **Address:** Room No. 2204, 3211 Pyongyang Information Center, Kyonghung-dong, Pothonggang District, Pyongyang	Appears to be owned by the Jinmyong Trading Group. Advertisement presented at 19th Pyongyang Spring International Trade Fair (2016). Designated by OFAC in September 2017 pursuant to E.O. 13810, which targets, in part, persons determined to be operating in the financial services industry in the DPRK. The President, Jong Song Ho arranged the sale of a shipment of DPRK coal aboard the *Wise Honest* through an Indonesian broker with the final listed recipient being the ROK company, Enermax. See S/2019/171, para 36 (business card at Annex 19).
Koryo Bank 고려은행 高丽银行	Koryo Bank Building, Pyongyang, Democratic People's Republic of Korea	Res 2356 (2017) on 2 June 2017 (KPe.045) Associated with Office 38 and Office 39 of the KWP. Operated by Korea Myohyang Economic Group; joint venture partner in Koryo-Global Bank.
Koryo Credit Development Bank / Daesong Credit Development Bank [JV] (Aka. Koryo-Global Credit Bank, Koryo Global Trust Bank) 고려신용개발은행 대성신용개발은행 (aka고려글로벌신용은행)	Yanggakdo International Hotel, Pyongyang Tel: +850 2 381 4100 Fax: +850 2 341 4013	Res 2371 (2017) on 5 August 2017 (KPe.049) Joint venture with Koryo Bank
Korea Daesong Bank 대성은행 / 조선 대성은행 大成银行 aka: Choson Taesong Unhaeng, Daesong Bank, Taesong Bank According to a Member State, in 2018 the bank has used the following false names when processing transactions for ship-to-ship transfers:	Segori-dong, Gyongheung Street, Pyongyang Tel +850 2 818221 Fax +850 2 814576 SWIFT/BIC: KDBKKPPY	Res 2321 (2016) on 30 November 2016 (KPe.035) Owned and controlled by Office 39 of the Korea Workers' Party According to a Member State, Ko Il Hwan engaged in transactions on behalf of Korea Daesong Bank from Shenyang for ship-to-ship transfers in 2018.

조선녹색산업무역 (*Chosun Noksaek Sanop Muyok*, Korea Green Industry Trading Company/Corporation 朝鲜绿色产业贸易) and 조선신용투자회사(Chosun Sinyong Tuja Hoesa, Korea Credit Investment Company/Corporation 朝鲜信用投资公司 or 朝鲜信用投资会社).		
Korea Kwangson Banking Corporation 조선광선은행 朝鲜光鲜银行, Korea Kwangson Finance Company, 朝鲜 蔡鲜金金朝朝, Korea Kwangson Finance Company	Jungsong-dong, Sungri Street, Central District, Pyongyang	Res 2370 (2016) on 2 March 2016 Provides financial services in support to Tanchon Commercial Bank and Korea Hyoksin Trading Corporation, a subordinate of the Korea Ryonbong General Corporation. Tanchon has used KKBC to facilitate funds transfers likely amounting to millions of dollars, including transfers involving KOMID-related funds. For more info see PoE report S/2017/150, p. 63.
Korea National Insurance Corporation 조선민족보험총회사 Korea Foreign Insurance Company, 朝鲜民族保险总会社	KNIC Building, Central District Pyongyang +850 2 18111/222 Ext:3418024 +850 2 3814410	
Korea Joint Venture Bank 조선합영은행 Korea Joint Bank, Korea Joint Operation Bank, Chosun Joint Operation Bank, Habyong Bank, 朝鲜合营银行	KJB Building, Ryugyong 1 dong, Pothonggang District, Pyongyang +850 2 381-8151, 850-2-18111-381-8151 +850 2 381-4410	
Ryugyong Commerical Bank (RCB) 류경상업은행/류상은행 Ryusang Bank, 柳京商业银行, 柳商银行	Changgwang Hotel, 5th Floor, Pyongyang Beijing, China Dandong, China	Two ATMs at Pyongyang Airport and one in the lobby of Changgwang Inn. *Ryugyong Commercial Bank ATM lists an address in the Changgwang Foreign House, Suite #05-24* Joint Venture with OCN Pyongyang Office and Koryo Commercial Bank

Korea Unification (United) Development Bank (조선) 통일발전은행 (朝鲜)统一发展银行 aka: Myohyangsan Bank, Unification Development Bank, T'ongil Palchon Bank, Korea Tongil Paljon Bank, Korea Reunification Development Bank	KUDB Building, Pyongyang SWIFT/BIC: KUDBKPPY	Res 2321 (2016) on 30 November 2016 (KPe.033) USA on 16 March 2016 See Panel of Experts report (S/2017/150, p 62)
Hana Banking Corporation 하나은행 aka Korea Kumsong Bank, Kumsong Bank, Single-Minded International Bank,	ISB Building, Pyongyang; Haebangsan Hotel, Jungsong-Dong, Sungri Street, Central District, Pyongyang, Dandong, China SWIFT/BIC BRBKKPPIXXX	Partial Ownership by Central Bank. Overseas several Bank Card product lines for domestic use
Ilsim International Bank 일심국제은행 日心国际银行 aka. Korea Kumsong Bank, Kumsong Bank, Single-Minded International Bank, 日心国际银行	ISB Building, Pyongyang Pyongyang, Democratic People's Republic of Korea SWIFT: ILSIKPPY	Res 2321 (2016) on 30 November (KPe.034) Affiliated with the DPRK military and has close relationship with Korea Kwangson Banking Corporation (KKBC) and has attempted to evade United Nations sanctions.
First Credit Bank. (JV) or Cheil Credit Bank 제일신용은행 第一信用银行 aka: First Trust Bank Corporation, Jeil Credit Bank, Kyongyong Credit Bank	a) 3-18 Pyongyang Information Center, Potonggang District (as of 2016). b) i Rakrang District, Jongbaek 1-dong Tel: +850 2 433-1575 (02-433-1575) SWIFT: KYCBKPPYXXX Rakrang Tel: 961-3331, 961-0003	Belongs to Workers Party of Korea. It was established in 2008 as JV venture with Singapore's Miracle Commerce Pte. Ltd., and its CEO William Toh (aka Toh Hwee Howe) who has been involved in trade with the DPRK using his other two companies, I-Tech Intelligence Resources and Sinsar Trading Ltd.
Koryo Commercial Bank 고려상업은행 高丽商业银行 aka Korea Commercial Bank	KCB Building, Taedonggang District, Pyongyang; ; Beijing, China; Shenyang, China; SWIFT/BIC KCBKKPP1	Joint Venture with OCN and Ryugyong Commerical Bank
Tanchon Commercial Bank 단천상업은행 端川商业银行 AKA: Changgwang Credit Bank, (창광신용은행) Korea Changgwang Credit Bank (조선창광신용은행); Yongaksan Bank (용악산은행), Lyongaksan Bank (룡악산은행)	Saemul 1-Dong Pyongchon District, Pyongyang	Designated by UN on 24 Apr. 2009 (KPe.003) Main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. Under Second Economic Committee; financial arm of KOMID.

Korea United Development Bank (KUDB) 조선통일발전은행 (朝鲜）统一发展银行 aka: Myohyangsan Bank, Unification Development Bank, T'ongil Palchon Bank, Korea Tongil Paljon Bank, Korea Reunification Development Bank	KUDB Building, Pyongyang SWIFT/BIC: KUDBKPPY	Res 2321 (2016) on 30 November (KPe.033) Information in UN POE report: S/2017/742, p. 22
Kumgang Group Bank / Kumgang Bank (KKG) Korea Kumgang Bank (조선) 금강은행 金刚银行 aka: Kumgang Export and Import Bank	Kumgang Bank Building, Central District, Pyongyang (The North East Asia Bank building in Pyongyang became the KKG Bank building)	Associated with Korea Ponghwa General Corporation (under External Economic Committee of the Cabinet) and Korea Pyongyang Trading Company
Kumgyo International Commercial Bank 금교국제상업은행		Affiliated with Korean Chongsong Mining Company and Changgwang Shop. See Panel report S/2017/150 para 220.
Tanchon Commercial Bank 단천상업은행 端川商业银行 AKA: Changgwang Credit Bank, (창광신용은행) Korea Changgwang Credit Bank (조선창광신용은행); Yongaksan Bank (용악산은행), Lyongaksan Bank (룡악산은행)	Saemul 1-Dong Pyongchon District, Pyongyang	Designated by UN on 24 Apr. 2009 (KPe.003) Main DPRK financial entity for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. Under Second Economic Committee; financial arm of KOMID.

Source: The Panel, Member States and UN documents

Annex 17 : Payment for Wise Honest transshipment costs arranged by DPRK bank representative



Rekening Koran
(Account Statement)

Periode	: From	01 March 2018
	To	31 March 2018
Account No	: 1260007369969 - ARBAA ENERGY RESOURC	
Currency	: USD	
Branch	: KCP Jkt Permata	
Opening Balance	: 972.79	

Date & Time	Value Date	Description	Reference No.	Debit	Credit	Balance
27/03/2018 14:44:29	27/03/2018	SWIFT CODE. BMRIIDJAXXX Debit InTTSusp HUITONG MINERALS CO LTDJP MORGAN CHASE BANK, NEW YORK, USA		0.00	149,958.00	150,930.79
28/03/2018 15:58:28	28/03/2018	SWIFT CODE.BMRIIDJAXXX Debit InTTSusp HUITONG MINERALS CO LTDJP MORGAN CHASE BANK, NEW YORK, USA		0.00	159,958.00	310,888.79
31/03/2018 23:59:00	31/03/2018	Biaya Adm		5.00	0.00	310,883.79
31/03/2018 23:59:00	31/03/2018	Bunga		0.00	3.82	310,887.61
31/03/2018 23:59:00	31/03/2018	Pajak		0.76	0.00	310,886.85
31/03/2018 23:59:00	31/03/2018	Biaya Meterai		0.44	0.00	310,886.41

No of Credit	3
Total Amount Credited	309,919.82
No of Debit	3
Total Amount Debited	6.20
Closing Balance	310,886.41





Rekening Koran
(Account Statement)

Periode	: From	01 April 2018	
	To	30 April 2018	
Account No	: 1260007369969 - ARBAA ENERGY RESOURC		
Currency	: USD		
Branch	: KCP Jkt Permata		
Opening Balance	: 310,886.41		

Date & Time	Value Date	Description	Reference No.	Debit	Credit	Balance
02/04/2018 10:30:18	02/04/2018	BG 383751- Transfer 20383751		50,000.00	0.00	260,886.41
03/04/2018 08:28:34	03/04/2018	SWIFT CODE BMRIIDJAXXX Debit InTTSusp HUITONG MINERALS CO LTDJP MORGAN CHASE BANK, NEW YORK, USA		0.00	219,958.00	480,844.41
06/04/2018 11:12:55	06/04/2018	BG 383752- Transfer 20383752		10,000.00	0.00	470,844.41
10/04/2018 12:11:52	10/04/2018	BG 383754- Transfer 20383754		30,000.00	0.00	440,844.41
10/04/2018 12:13:30	10/04/2018	BG 383753- Transfer 20383753		20,000.00	0.00	420,844.41
12/04/2018 12:19:54	12/04/2018	BG 383756- Transfer 20383756		90,000.00	0.00	330,844.41
12/04/2018 12:22:59	12/04/2018	BG 383755- Transfer 20383755 KE ERY THURSINA		30,000.00	0.00	300,844.41
12/04/2018 19:58:23	12/04/2018	/RFB/ST13011804120222 Debit InTTSusp HUANG HE MINERALS (HONG KONG) CO STANDARD CHARTERED BANK		0.00	119,409.36	420,253.77
13/04/2018 10:32:31	13/04/2018	PAYMENTS FOR GOODS Debit Nostro TRADE PIONEER LIMITEDFIRST COMMERCIAL BANK		0.00	74,585.00	494,838.77
13/04/2018 11:19:42	13/04/2018	BG 383758- Transfer 20383758		100,000.00	0.00	394,838.77
13/04/2018 16:14:28	13/04/2018	/RFB/ST13011804130288 Debit InTTSusp HUANG HE MINERALS CO., LIMITEDSTANDARD CHARTERED BANK		0.00	39,391.83	434,230.60
16/04/2018 10:15:21	16/04/2018	BG 383757- Transfer 20383757		150,000.00	0.00	284,230.60
17/04/2018 11:18:15	17/04/2018	BG 383759- Transfer 20383759		60,000.00	0.00	224,230.60
18/04/2018 11:10:48	18/04/2018	SWIFT CODE BMRIIDJAXXX Debit InTTSusp HUITONG MINERALS CO LTDJP MORGAN CHASE BANK, NEW YORK, USA		0.00	4,814.00	229,044.60
27/04/2018 10:06:47	27/04/2018	BG 383760-PAYMENT INV NO QGS-180424-1 Transfer TT 20383760 QINGDAO GLOBAL SHIPPING CO., LIMITED		20,054.00	0.00	208,990.60
27/04/2018 11:00:32	27/04/2018	BG 383761- Transfer 20383761		40,000.00	0.00	168,990.60
30/04/2018 23:59:00	30/04/2018	Biaya Adm		5.00	0.00	168,985.60
30/04/2018 23:59:00	30/04/2018	Bunga		0.00	26.60	169,012.20
30/04/2018 23:59:00	30/04/2018	Pajak		5.32	0.00	169,006.88

Page 1 of 2

Source: Annex 19 of Panel's report S/2019/171 of 5 March 2019.

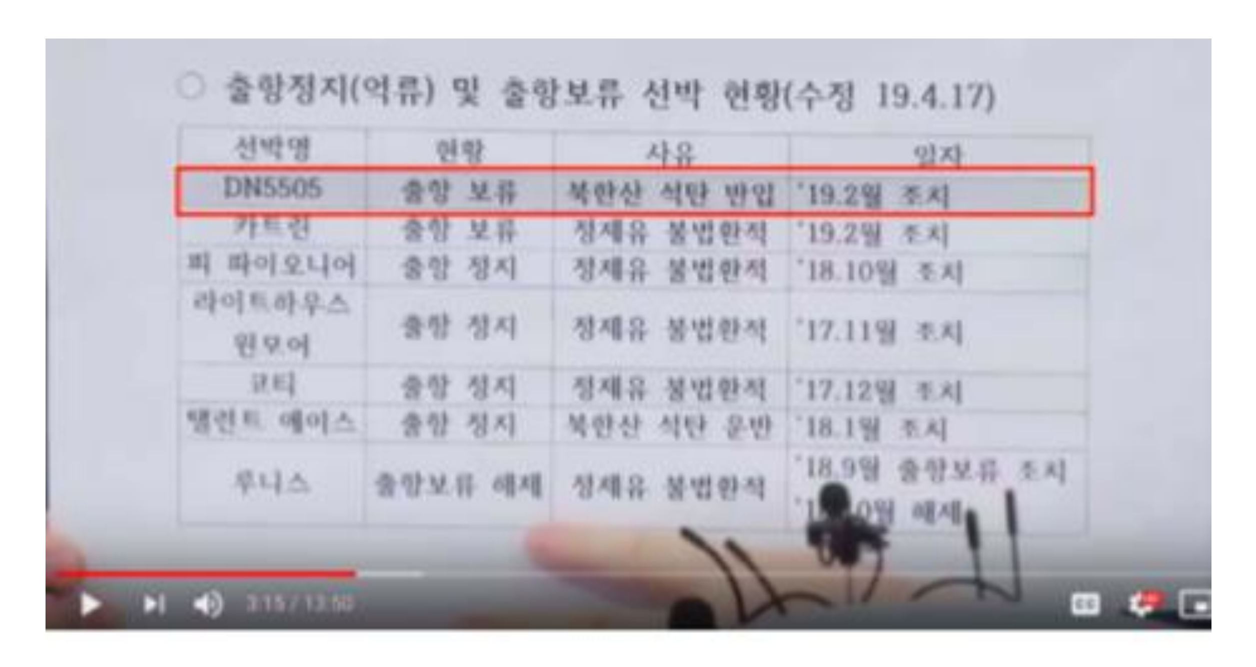
b. Supplementary information on payment for Wise Honest from US Court documents

Excerpts from Case 1:19-cv-04210 filed on 9 May 2019, United States District Court, Southern District of New York

43. In connection with the March 2018 shipment of coal on board M/V Wise Honest from North Korea, see supra 11 28- 30, payments totaling more than $750,000 were transmitted through the correspondent accounts of another U.S. financial institution ("Bank-2"), which was specifically listed as being located in "New York, USA."

Source: Case 1:19-cv-04210 filed on 9 May 2019, United States District Court, Southern District of New York

Annex 18 : Screenshot of media coverage of a Republic of Korea Parliamentary Committee Press Conference on Detention of *DN5505* for importing DPRK-origin coal



○ 출항정지(억류) 및 출항보류 선박 현황(수정 19.4.17)

선박명	현황	사유	일자
DN5505	출항 보류	북한산 석탄 반입	'19.2월 조치
카트린	출항 보류	정제유 불법환적	'19.2월 조치
피 파이오니어	출항 정지	정제유 불법환적	'18.10월 조치
라이트하우스 윈모어	출항 정지	정제유 불법환적	'17.11월 조치
코티	출항 정지	정제유 불법환적	'17.12월 조치
탤런트 에이스	출항 정지	북한산 석탄 운반	'18.1월 조치
루니스	출항보류 해제	정제유 불법환적	'18.9월 출항보류 조치 '18.10월 해제

English Translation:

Current Status of Vessel Suspension of Departure (or Detention) (Edited 2019.04.17)			
Ship Name	**Current Status**	**Reason**	**Date**
DN5505	Departure Delayed/Pending	Importing North Korean coal	Action Taken 2019. Feb.
KATRIN	Departure Delayed/Pending	Illegal Transshipment of Refined Oil	Action Taken 2019. Feb.
P PIONEER	Departure Suspended	Illegal Transshipment of Refined Oil	Action Taken 2018. Oct.
LIGHTHOUSE WINMORE	Departure Suspended	Illegal Transshipment of Refined Oil	Action Taken 2017. Nov.
KOTI	Departure Suspended	Illegal Transshipment of Refined Oil	Action Taken 2017. Dec.
TALENT ACE	Departure Suspended	Carrying North Korean coal	Action Taken 2018. Jan.
LUNIS	Departure Delay Revoked	Illegal Transshipment of Refined Oil	Departure Delayed/Pending Action Taken 2018. Sep. Revoked 2018. Oct.

Source: Meeting of the special committee on the investigation of sanctions against North Korea, YouTube, 18 April 2019. https://www.youtube.com/watch?v=e7ldPPMeIN4

Annex 19 : International Shipping News, "Ship Suspected of Carrying N.K. Coal Is Under Probe: lawmaker", 19 April 2019



A Togo-flagged ship has been under probe in South Korea on suspicion of carrying North Korean coal in a potential violation of U.N. Security Council sanctions, an opposition lawmaker said Thursday.

The vessel, believed to have come from Russia's Nakhodka, entered the South Korean southeastern port of Pohang in February to unload 3,217 tons of North Korean coal and its departure was suspended, according to Rep. Yoo Ki-june of the main opposition Liberty Korea Party (LKP).

The DN5505 vessel also unloaded 2,588 tons of coal in South Korea in November, he said.

"The government grudgingly recognized that the vessel was shipping North Korean coal and kicked off the investigation," Yoo claimed.

North Korea is banned from exporting coal, iron ore and other mineral resources under Resolution 2371, passed in August, 2017. U.N. sanctions call for a country to capture and look into a vessel suspected of engaging in prohibited activities with North Korea.

The DN5505 has become the sixth ship whose departure from a South Korean port was suspended or denied due to suspected shipments of North Korean coal or ship-to-ship oil transfer in international waters.

Yoo said the name of the ship was changed in January 2018 and its original name is Xiang Jin.

Source: "Ship suspected of carrying N.K. coal is under probe: lawmaker" in International Shipping News, 19 April 2019.

Annex 20: Austria's reply to the Panel



New-York-ÖV/RECHT/0140/2019

The Permanent Mission of Austria to the United Nations presents its compliments to the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) and has the honour to transmit the following:

With reference to the Panel's letter dated 28 June 2019 (S/AC.49/2019/PE/OC.75) Austria would like to provide the following information in addition to the letters dated 23 March 2017 as well as 26 October 2017:

A. Korea Ungum Corporation

As the Panel of Experts is aware, the Austrian Authorities have been dealing with the Korea Ungum Corporation since 2012 and seeking cooperation with the panel concerning this matter on several occasions. Based on the investigations of the Austrian Authorities, the facts may be summarized as follows:

1. Korea Ungum Corporation held the following bank accounts with Meinl Bank AG:

- **No. 100493444**: balance USD 768,168.24
- **No. 100493445**: balance EUR 1,127,465.35

2. The following persons were registered as authorised signatories of the bank accounts:

- **Mr. HYON Yong Il**, DOB March 1964 (no known permanent residence in Austria)
- **Mr. KIM Yu Jin**, DOB 23 September 1963 (member of the administrative and technical staff at the DPRK Embassy in Vienna, registered from 10 May 2007 until 11 February 2010)
- **Mr. RI Yong Su**, DOB 10 June 1959 (member of the administrative and technical staff at the DPRK Embassy in Vienna, registered from 6 October 2004 until 2 May 2007)

3. In July 2012, Mr. HYON Yong Il intended to close the accounts of Korea Ungum Corporation with Meinl Bank AG and transfer the balance via West Landesbank in Germany to an account of the Foreign Trade Bank of the DPRK (FTB).

4. On 26 July 2012, Meinl Bank AG submitted a suspicious transaction report to the Criminal Intelligence Service of Austria, because the Bank had suspected Korea Ungum of money laundering. The report was forwarded to the Vienna Public Prosecutor's Office, which on the same day ordered the freezing of the accounts due to suspected money laundering activity.

5. On 17 July 2015 the Vienna Public Prosecutor's Office closed the money laundering proceedings due to lack of evidence and lifted the freezing order.

6. However, no moneys were released, since the Austrian National Bank, as the competent Austrian authority to monitor the implementation of financial sanctions, confirmed to Meinl Bank that the bank accounts remained frozen pursuant Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea.

7. In February 2016, the Korea Ungum Corporation, requested a cash withdrawal from the bank accounts which supposedly should have been made available to a member of the DPRK Embassy in Vienna. However, this request was refused.

8. In October 2016, in order to achieve legal certainty for freezing the accounts in the view of potential lawsuits, Austria proposed the listing of Korea Ungum Corporation under EU sanctions legislation, after it had asked the Panel of Experts for additional information. However, no consensus among EU member states could be reached on the listing proposal.

9. On 9 January 2017, the DPRK Embassy requested the release of funds from the above-mentioned bank account No. 100493444, allegedly in order to pay an outstanding salary to Mr. JO Kwang Chol based on a fabricated labour contract with Korea Ungum Corporation (for further details see Part B below). Again, the request was refused.

10. In February 2017, in order to solve the matter in conformity with the sanctions measures against the DPRK, Meinl Bank AG bought DPRK promissory notes to the value

of the balance in the above-mentioned accounts from Winter Bank, another Austrian private bank, which held DPRK promissory notes of several million Euros. The accounts were set off against the promissory notes, thereby avoiding that any funds were made available to FTB or any other entity of the Government of the DPRK.

11. On 28 February 2017, both bank accounts of Korea Ungum Corporation with Meinl Bank AG were closed, well before the listing of FTB by the Security Council on 5 August 2017.

B. JO Kwang Chol

1. Mr. JO Kwang Chol (DOB 5 August 1975, Passport No 745420418, see attachments 1 and 2) has been accredited since 2 February 2016 as a member of the administrative and technical staff of the DPRK Embassy in Vienna. His current accreditation card is valid until 3 November 2020. Mr. JO's private address is not known to the Austrian authorities. There is no legal obligation for accredited members of Embassies in Austria to register their private addresses.

2. In December 2016, the DPRK Embassy request the release of funds in the amount of EUR 33,600.00 from the bank account No. 100493444 with Meinl Bank AG, allegedly in order to pay an outstanding salary to Mr. JO for his work as an agent of Korea Ungum Corporation in Vienna from February to September 2016. However, the Austrian authorities came to the conclusion that this request was an imposture, based on a fabricated labour contract. When the DPRK Embassy was confronted with the suspicion that the contract and supposed work of Mr. JO potentially violated Article 42 of the Vienna Convention on Diplomatic Relations, OP 33 of Security Council Resolution 2321 (2016) as well as Austrian tax and labour laws, it withdrew its request and no funds were released.

3. After careful analysis of all available facts, the Austrian authorities determined – in line with the discretion afforded to Member States in OP 33 of Security Council Resolution 2321 (2016) – that there was no sufficient and reliable evidence to conclude that Mr. JO was actually working on behalf of or acting at the direction of the FTB during his posting

in Vienna. The alleged labour contract was poorly fabricated and there was no evidence of any activities of Mr. JO as supposed agent of Korea Ungum Corporation and/or FTB before or particularly after the adoption of Security Council Resolution 2321 (2016) on 30 November 2016. This conclusion was corroborated by the fact that, unlike previous staff at the DPRK Embassy, Mr. JO was never registered as an authorised signatory of the above-mentioned bank accounts of Korea Ungum Corporation. Mr. JO is also not registered in the Austrian business register, nor in the Austrian company register or in the Austrian land register.

C. Implementing measures

1. Council Regulation (EC) No. 329/2007 which was later replaced by Council Regulation (EU) No. 2017/1509 of 30 August 2017 transposed the obligation to freeze assets of individuals or entities under paragraph 8 (d) of Security Council Resolution 1718 (2006) and subsequent relevant Security Council Resolutions.

2. According to the Austrian National Bank, as the competent national authority, action taken pursuant to Art. 28 and 29 of Regulation (EU) 2017/1509 of 30 August 2017 implementing UNSC-Resolution 2321 (2016) has led to the closure of 12 bank accounts held by persons affiliated with the DPRK Embassy in Austria. According to available information, the DPRK Embassy no longer holds any bank account in Austria at all, as local banks refuse to do business with the Embassy. Due to very strict national banking secrecy legislation, more detailed information could only be acquired by a court order.

3. In this context it is noted that the personal scope of Art. 28 of said EU Regulation goes beyond the scope of OP 16 of Security Council Resolution 2321 (2016), which only refers to diplomats and consular officers, whereas Art. 28 of the EU Regulation includes all members of DPRK diplomatic missions. According to the well-established definitions in the Vienna Convention on Diplomatic Relations (VCDR) and the Vienna Convention on Consular Relations (VCCR), which both reflect customary international law, the terms "diplomatic agent" (cf. Art. 1 (e) VCDR) and "consular officer" (cf. Art. 1 (d) VCCR) do not encompass "members of the administrative and technical staff" nor the family members

of such diplomat agents and consular officers, who are therefore outside the scope of OP 16 of Security Council Resolution 2321 (2016).

4. In accordance with Art. 28 and 29 of Council Regulation (EU) 2017/1509 the obligation to close the accounts of DPRK diplomats departing/having departed their posting is with the credit and financial institutions.

The Permanent Mission of Austria to the United Nations avails itself of this opportunity to renew to the Panel of Experts the assurances of its highest consideration.

New York, 31 July 2019

REPUBLIK ÖSTERREICH 3 STÄNDIGE VERTRETUNG BEI DEN VEREINTEN NATIONEN NEW YORK 3

To the
Panel of Experts
established pursuant to UN Security Council resolution 1874 (2009)
United Nations
New York

DPRK service passport held by Jo Kwang Chol 조광철



Letter from the DPRK Embassy in Beijing requesting visa for Jo Kwang Chol and his family



Embassy of the Democratic People's Republic of Korea

№ 540

The Embassy of the Democratic People's Republic of Korea in Beijing presents its compliments to the Embassy of the Republic of Austria and has the honor to kindly request the latter to issue the D-visas in favor of following newly appointed staff member of the DPR Korea Embassy to the Republic of Austria and his family who will stay in Austria for 4 years from January 25, 2016, who names, dates of birth, passport numbers are as follows:

1. Mr. Jo Kwang Chol. Born: 05-Aug-1975. Passport No-PS745420418
2. Mrs. Choe Hyang Mi. Born: 23-Jan-1976. Passport No-PS745420419
3. Mr. Jo Ju Ryong. Born: 22-Apr-2000. Passport No- PS745420420
4. Ms. Jo Ju Hyang. Born: 18-Aug-2003. Passport No- PS745420421

Please be informed that Mr. Jo Kwang Chol is the replacement of Mr. Ri Jong Chol, the staff member of the DPRK Embassy to the Republic of Austria and the application forms, copies of applicants' passports and original passports are enclosed herewith.

The Embassy of the DPRK avails itself of this opportunity to renew to the Embassy of the Republic of Austria the assurances of its highest consideration.

December 03, Juche104(2015)



To: Embassy of the Republic of Austria
Beijing

Source: Member State

Annex 21 : Suspected DPRK cyber-attacks on financial institutions (including banks and cryptocurrency exchanges) investigated by the Panel

A. Banks

Date	Location	Details
Dec 2015	Guatemala	Reported loss of 16 million USD.
Dec 2015	Vietnam	Attempted theft of more than 1 million Euro ($1.1 millions) of funds through fraudulent SWIFT messages according to statement Tien Phong Bank later issued.[59]
Feb 2016	Bangladesh	Attempted theft of $951M
May 2016	South Africa / Japan	Reported theft of $18M from Standard Bank that caused a malfunction of the system shortly before the cash was withdrawn from ATM machines at convenience stores in Tokyo and 16 prefectures across Japan with forged cards made with data stolen from credit cards issued by the bank. A reply from the Government of Japan to the Panel dated 25 July 2019 stated, "As of 9 July 2019, approximately 260 suspects, including organized crime group members, have been arrested, and the total amount of the cash illegally withdrawn from the ATMs across Japan was approximately 1.86 billion yen. The suspects used forged cards with data of roughly 3,000 pieces of customer information stolen from the Standard Bank in the Republic of South Africa, in order to withdraw cash from approximately 1,700 ATMs located in Tokyo and 16 prefectures across Japan. The case is still under investigation."
July 2016	India	Attempted theft of $166M using tactics and techniques similar to February 2016 attack on Bangladesh Bank. Funds were transferred to the Canadia Bank Plc and RHB IndoChina Bank Ltd in Cambodia, the Siam Commercial Bank in Thailand, Bank Sinopac in Taiwan Province of China, and a bank in Australia (routed by Citibank New York and JP Morgan Chase New York).
July 2016	Nigeria	Attempted theft of $100M[60]
Oct 2017	Tunisia	Attempted theft of $60M
Oct 2017	Taiwan Province of China	Attempted theft of $60M from Far Eastern International Bank; all but $500,000 recovered by the bank[61]

[59] https://www.nytimes.com/2016/05/27/business/dealbook/north-korea-linked-to-digital-thefts-from-global-banks.html

[60] *APT38: Un-usual Suspects*, October 2018, p.7, mentions 'an African bank that appears to have been targeted in early 2016 […] and involved an attempted theft of approximately $100 million'. https://content.fireeye.com/apt/rpt-apt38

[61] Article by *Reuters* dated 16 October 2016 on the DPRK likely behind SWIFT cyber-attack on Taiwan Province of China. https://reut.rs/2kVSmKO.

Jan 2018	Mexico	Attempted theft of 110M USD from Bancomext[62]
Jan 2018	Costa Rica	Attempted theft of 19M USD[63]
Feb 2018	India	Attempted theft of 16.8 USD from City Union Bank using techniques similar to February 2016 attack on Bangladesh Bank.
March 2018	Malaysia	Attempted theft of 390M USD 29 March 2018 cybersecurity incident involving attempted unauthorized fund transfers using falsified SWIFT messages
May 2018	Chile	Theft of approximately 10 million USD from Banco de Chile through unauthorized transactions using SWIFT, mainly to Hong Kong. The hackers distracted bank employs from the theft by using malware to render 9000 bank owned computers inoperable.[64]
June 2018	Liberia	Attempted theft of 32M USD
Aug 2018	India	Reported theft of 13M USD through attack on Cosmos Bank through simultaneous ATM withdrawals across 23 countries in five hours as well as the transfer of 139 million Rupees to a Hong Kong-based company's account in three unauthorized SWIFT transactions. On 8 October 2018 the United States included this and other similar DPRK attacks in its alert regarding the "FASTCash Campaign"[65]
Oct 2018	Chile	Attack on Redbanc using malware called POWERRATANKBA. Sophisticated social engineering via LinkedIn, Skype.
Feb 2019	Malta	Attempted theft of 14.5M USD from the Bank of Valletta (BOV) on 13 February. Before being reversed, transfers were made to banks located in the UK, the US, Czech Republic, and Hong Kong, China. "phishing" activity using the same digital fingerprint had been detected since October 2018.

[62] FireEye APT38 report

[63] In a reply to the Panel dated 24 July 2019, the Mission of Costa Rica stated, "The Mission can confirm that a private financial institution experienced an alleged cyberattack in Costa Rica in January 2018. An investigation has been launched by the Office of the Public Prosecutor's Division on Fraud. On July 17, 2019, the Division delegated the investigation to the Ministry of Science, Technology and Telecommunication. Because the investigation is still ongoing, it is not possible for the Mission to provide the Panel with any result."

[64] FireEye APT38 report

[65] Alert (TA 18-275A) "Hidden Cobra – FASTCash Campaign", US-CERT (United States Computer Emergency Readiness Team), 8 October 2018. The general pattern of such attacks targeting financial institutions has been well documented in a criminal complaint issued by the U.S. Government. Criminal Complaint filed to the U.S. District Court for the Central District of California against Park Jin Hyok https://www.justice.gov/opa/press-release/file/1092091/download

Feb 2019	Spain	Attempted theft of 10.8M USD[66]
March 2019	Gambia	Attempted theft of 12.2M USD
March 2019	Nigeria	Attempted theft of 9.3M USD
March 2019	Kuwait	Reported theft of 49M USD

Source: Information from Member States, Statements by Government agencies, corporate statements, reports by cyber security firms and media articles

B. Cryptocurrency

Date	Location	Details
Feb 2017	ROK	Theft of 7M USD in first attack on Bithumb
22 April 2017	ROK	Theft of 4.8M USD in first attack on Youbit (3618 Bitcoin)
12 May 2017		Global WannaCry attack resulted in Bitcoin laundered through Monero 144,000 USD (52 Bitcoin) [67]
July 2017	ROK	Reported theft of more than 7 million USD in second attack on Bithumb including: 870,000 USD in Bitcoin and 7 million USD in Bitcoin and Ethereum.[68] National Intelligence Services attributed to the DPRK.
Summer 2017	ROK	25,000 USD (70 Monero) [69] through Monero cryptojacking / mining through illegal seizure of a Republic of Korea company server
23 Sept 2017	ROK	Theft of undisclosed amount of Bitcoin (possibly 2.19 million USD) in attack on Coinis. Total of 6.99M USD reported in losses from this and the April 2017 Youbit attack combined

[66] Spain's National Cryptologic Centre (CCN), under the National Intelligence Centre stated in its 2019 Cyberthreats and Trends report that hackers associated with the DPRK government conducted the largest number of reported cyberattacks against Spain in 2018.

[67] United States District Court, Central District of California, *United States of America v. PARK JIN HYOK*, Case No. MJ18-1479, Criminal Complaint, 8 June 2018, para. 6. Available at www.justice.gov/opa/press-release/file/1092091/download.

[68] Nikhilesh De, "Police Confirm North Korean Connection in Bitcoin Exchange Phishing, Coindesk, 2 October 2017 https://www.coindesk.com/police-confirm-north-korean-connection-bitcoin-exchange-phishing; and Stan Higgins, North Korea Is Targeting South Korea's Bitcoin Exchanges, Report Claims, 12 September 2017, https://www.coindesk.com/report-north-korea-targets-south-koreas-bitcoin-exchanges-cyber-attacks. The Korean Internet Security Agency reportedly thwarted an attempted hack on 10 Korean exchanges back in October.

[69] According to a news article, an assessment by Kwak Kyoung-ju at the Republic of Korea Financial Security Institute attributed the seizure of a server at an ROK to a hacking unit called "Andariel". Sam Kim, "North Korean Hackers Hijack Computers to Mine Cryptocurrencies" Bloomberg, 31 December 2017.

May-Sept 2017 23 September 2017	ROK	ROK Police reported attacks on three cryptocurrency exchanges by DPRK actors and detailed that 25 employees at four different exchanges were targeted in 10 separate "spear phishing" attempts since July 2017[70] Coinis attack – undisclosed amount of Bitcoin, possibly 2.19 million USD[71]
19 Dec 2017	ROK	Theft of 17 percent of Youbit assets in second attack on Youbit. Youbit later declared bankruptcy as a result of hack.[72]
Dec 2017	Slovenia	Reported theft of 70+M USD from the bitcoin mining company, NiceHash, which reported "a highly professional attack with sophisticated social engineering" that resulted in approximately 63.92M USD of Bitcoin being stolen.
June 2018	ROK	Third attack on Bithumb. Bithumb announced in a since deleted tweet that hackers stole approximately $31 million. Proceeds were laundered through a separate crypto-currency exchange called YoBit.
Aug 2018	India	Reported theft of 13M USD
Oct 2018	Bangladesh	Attempted theft of 2.6M USD
March 2019	Thailand/Singapore/Hong Kong, China [73]	Reported theft of 9M USD from DragonEx

[70] Republic of Korea Police https://www.coindesk.com/police-confirm-north-korean-connection-bitcoin-exchange-phishing; https://www.coindesk.com/report-north-korea-targets-south-koreas-bitcoin-exchanges-cyber-attacks. Korean Internet Security Agency reportedly thwarted an attempted hack on 10 Korean exchanges back in October.

[71] Republic of Korea Intelligence Service as reported by Yonhap News, 16 December 2017. "Spy agency suspects N. Korean involvement in recent hacking into cryptocurrency exchange", https://www.yna.co.kr/view/AKR20171216027100014.

[72] "Youbit statement announcing closure following hack" (Korean). 19 December 2017.

[73] According to the company's Twitter and LinkedIn accounts, it is based in Singapore. The LinkedIn page states, "Registered in Singapore, Operation Department headquartered in Bangkok." However, Singapore indicated to the Panel that it does not currently have any registration information for a company under the name of DragonEx. Singapore further stated, "We note that DragonEx's announcement of 27 March 2019 on its Telegram channel states that the Hong Kong Cyber Security and Technology Crime Investigation Bureau is investigating the incident." DragonEx stated in its announcement of the cyberattack that it informed the judicial administrations of Estonia, Thailand, Singapore and Hong Kong. For more information on the attack, see http://www.coinwire.com/360-security-warns-about-lazarus-hacker-group and https://www.secrss.com/articles/9511

March 2019	ROK	Reported theft of 20M USD in fourth attack on Bithumb (3M EOS and 20 million Ripple coins stolen worth $13.4M USD and 6M USD, respectively)
28 May 2019	ROK	UpBit attacked. No losses reported.

Source: Information from Member States, Statements by Government agencies, corporate statements, reports by cyber security firms and media articles

Annex 22 : Information on patterns and methods of DPRK cyber attacks

1. After selecting a target, malicious DPRK cyber actors research employees and organizations looking for vectors of attack. Attacks frequently involve one or more of the following tactics employed against a single target: engaging in spear phishing attacks; engaging in Watering Hole attacks whereby hackers compromise sites likely to be visited by a particular target group; and exploiting existing, well known software vulnerabilities which the target is believed to have left unpatched. After establishing an initial foothold, DPRK hackers then work to move laterally and elevate their privileges within a system; establishing as much control as possible before attempting to execute a cyber-theft. These patterns of attack are not unique to DPRK hackers, what distinguishes them are the targets they select (such as financial institutions) and that following completion of their goals (or upon discovery) DPRK hackers are often willing to destroy large amounts of data to cover their tracks or distract targets while the theft is in process.[74]

2. Examples of these tactics include spear phishing attacks in the form of job applications which were sent to employees of the Bangladesh Bank in the February 2016 attack and used to compromise computers controlled by the bank.[75] In 2017, DPRK cyber actors infected the website of the Polish Financial Supervision Authority with malware programed to only download onto computers which visited the site if they were from 104 pre-selected financial institutions and telecom companies.[76] In March 2017 the security vulnerability known as CVE-2017-0144 which affected computers running some versions of the Windows operating system became known. Patches were not initially available for Windows XP though and in May 2017 DPRK hackers deployed the WannaCry ransomware worm targeting older computers running Windows XP which had not patched the vulnerability.[77] Finally, in 2018, as part of a cyber-heist targeting a Chilean bank, DPRK hackers destroyed data on approximately 9,000 bank-owned computers in order to distract bank employees from the theft of $10 million.[78]

[74] Nalani Fraser, Jacqueline O'Leary, Vincent Cannon, Fred Plan "APT38: Details on New North Korean Regime-Backed Threat Group", 3 October 2018. Accessed at https://www.fireeye.com/blog/threat-research/2018/10/apt38-details-on-new-north-korean-regime-backed-threat-group.html on 11 July 2019.

[75] United States District Court, Central District of California, *United States of America v. PARK JIN HYOK*, Case No. MJ18-1479, Criminal Complaint, 8 June 2018.

[76] Symantec Security Response, "Attackers target dozens of global banks with new malware", Symantec. 12 February 2017.

[77] Criminal Complaint filed to the U.S. District Court for the Central District of California against Park Jin Hyok.

[78] Dave Sherwood and Felipe Iturrieta, "Bank of Chile trading down after hackers rob millions in cyberattack". *Reuters*. 11 June 2018.

Annex 23 Actions taken by Member States to counter losses due to attacks by DPRK cyber actors

Costa Rica

In its reply to the Panel of 24 July 2019, Costa Rica stated the following:
In terms of our country's cybersecurity strategy, we have strengthened the capabilities of the Response Center for Information and Technology Incidents of the Ministry of Science, Technology, and Telecommunications. The Center's main purpose is to provide quick IT response services to the public sector. Although the Center does not handle prosecutions, the government has implemented response and coordination protocols between the Center and other state agencies. Furthermore, the Government has created a National Strategy for Cybersecurity; it has improved the monitoring capabilities of public websites by the Response Center; and it has provided training in technical and logistical cybersecurity to government officials. Lastly, the government has increased international cooperation in terms of cybersecurity with governments and international organizations such as the Government of South Korea and the Organization of American States, among others.

India

In its reply to the Panel of 7 June 2019, India stated the following:
In the light of SWIFT related incidents and frauds like the cyberattacks in August 2018 on Cosmos Bank based in Pune, the banking regulator of India has undertaken various preventive measures which include:

(a) Issuing circulars on cyber security controls and on the controls that are required to be put in place for trade finance transactions to avoid misuse of the SWIFT ecosystem, advising the banks to implement controls for strengthening the security environment of the SWIFT infrastructure and to take steps to manage the operational risk surrounding the usage of the SWIFT system, in a time bound manner.

(b) Conducting special scrutiny of select banks to assess their operational control framework to safeguard against the risk of misuse of the SWIFT ecosystem.

(c) Issuing a circular to banks advising them to undertake a comprehensive audit of their SWIFT system covering the controls prescribed by the banking regulator.

(d) Sharing of market intelligence on the SWIFT ecosystem gathered from various sources with banks through the issuance of Advisories, which include information on indicators of compromise affecting the SWIFT payment ecosystem and measures prescribed to check for compromise and plug these immediately.

Japan

In its reply to the Panel dated 25 July 2019, Japan stated the following:
Preventing and addressing cyberattacks is a common challenge for the international community in terms of national security and crisis management. The GoJ will continue to take necessary actions while collaborating with other countries. Regarding the Panel's inquiry of 8. in its letter, the specific measures already taken by the relevant Ministries and Agencies to prevent and address the similar kinds of attacks in general are exemplified as follows:

- The Police of Japan and the relevant authorities have been making their utmost efforts to strengthen the cooperation with foreign security authorities and relevant organizations as well as the public-private partnership, while enhancing the collection and analysis of cyber-threat information.
- The Financial Services Agency (FSA) has urged financial institutions that have ATMs accepting the cards issued overseas to take preventive measures such as developing and introducing a

system to detect unusual dealing patterns and abnormal transactions, and the FSA has been following up by conducting annual research to the financial institutions concerned, for instance.

- The FSA has also been strictly carrying out on-site and off-site inspections/monitoring of crypto-assets exchange service providers, and when the FSA identified issues/problems, it took appropriate measures including administrative dispositions. Moreover, the relevant acts have been updated and will come into force by June 2020 at the latest, in order to strengthen regulations on crypto-assets exchange service providers, for example, by imposing on the providers new obligation to store the customers' crypto-assets in much more secure manners such as Cold Wallets, except the minimum amount needed for the smooth execution of their businesses.

Republic of Korea

In its reply to the Panel of 28 July 2019, the ROK stated the following:

In order to effectively address and deter cyberattacks on cryptocurrency exchanges, the ROK government has been taking active measures. Most importantly, an inter-agency coordination mechanism is in operation for the sharing of information and countering cyber threats. Also, security checks on cryptocurrency exchanges, the Information Security Management System (ISMS) Certification, capacity-building of the private sector serve as key tools for enhancing cyber security and preventing future attacks.

European Union

On 17 May 2019, the Council of the EU established a framework which allows the EU to impose targeted restrictive measures, such as asset freezes or travel bans, in order to deter and respond to cyber-attacks.[79] The EU also published and has begun implementing the Fifth Anti-Money Laundering Directive (AMDL5) which extends the scope of anti-money laundering rules to include cryptocurrencies.[80]

FATF

The Financial Action Task Force (FATF) proposed strict new guidelines with respect to cryptocurrencies and member states are expected to begin implementing these rules in June 2019.[81]

[79] European Council Council of the European Union. "Cyber-attacks: Council is now able to impose sanctions". EU. 17 May 2019.

[80] European Union. "Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU". EU. 19 June 2018.

[81] FATF. "Outcomes FATF Plenary, 17-19 October 2018". FATF. 19 October 2018.

Annex 24 : Marine Chain description according to company documents

<u>Excerpts from Marine Chain Investor Deck:</u>

Challenge:
Ship ownership, management and industry specific problems

- The shipping industry is specialized and parochial.
- It is risky with high capital barriers to entry.
- It is sensitive to the influence of macroeconomic and geopolitical developments, the unpredictability of the forces of nature and ever-changing human appetites and behavior
- There is a tight knit community of dedicated owners and service providers who have developed a highly specialized understanding of the dynamics of the industry and its inherent financial risks.
- Major growth in demand for modernization of vessels to meet evolving standards of environmental sustainability.
- Mounting pressure on vessel owners to invest hard capital into vessels to meet fast approaching deadlines for sustainability enhancements.
- Shipowners have access to a limited segment of the financial community to meet the high industry capital demands

The Shipping Industry is Facing Headwinds

Solution
Marine Chain Business model overview

- The Marine Chain business model is based on the key principles of Efficiency, Transparency & Sustainability (ET&S),
- Marine Chain platform will offer next generation tokenization technology to monetize portions of the vessel by conversion into digital units (tokens)
- Digital tokens, supported on the Blockchain, represent fractional ownership of individual vessels permitting investment from the full spectrum of the investment community.
- Marine Chain will be introducing asset backed security tokens enjoying proprietary ownership of the underlying vessel.
- Investors, as token holders will gain exposure to the economics of the vessel ownership, i.e. income generation and capital appreciation from the underlying vessel.
- These crypto assets will follow the ERC20 Token Standard and will be available for integration with other services on the Ethereum blockchain.

Opportunity

- Marine Chain has identified the unique and timely use of blockchain technology and asset tokenization as a significant business opportunity for vessel owners giving access to the blockchain technology platform and tokenization of Marine Chain qualified vessels.
- The vessel owner can use the proceeds of the tokenization to retire debt and boost operating margins.
- The impact of the successful tokenization of a portion of a specific vessel will be to:
- Boost operating margins
- Enable essential investment in the vessel to meet sustainability requirements
- Potentially boost the value of the vessel

• Enable any third party as a token holder to take fractional ownership of a vessel and participate in the potential financial benefits of ownership
• Enable token holders to trade the fractional ownership of the vessels on a secure trading platform
• Enable token holders to liquidate for other crypto or fiat currencies.
• Marine Chain believes that the Marine Chain blockchain tokenization model for the global maritime industry will have wide application into global industry and commerce

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Utility vs Security Tokens
Regulators around the financial services industry globally are increasingly defining crypto currencies into two distinct categories; utility token and security token.
Utility token: a currency style token issued and used to facilitate a currency type function (such as Bitcoin).

Marine Chain Tokens (MCT) are utility tokens.
Security token: issued in exchange for the ownership of tangible assets with certain finacial rights pertaining to those assets attached to the token.

Marine Chain Vessel Tokens are security tokens.

Utility token coin offerings seem likely to remain unregulated but the issue of security token and the action of trading them will likely be considered a regulated activity under the various financial regulatory bodies governing global financial markets.

Capital Requirements

Stage l financing:
- Initial Coin Offering of Marine Chain Tokens (MCT).
- May-July 2018
- Soft Cap US$20m

Utility token tradable on recognised exchanges

Use of proceeds:
- Development of MCP trading platform and operating systems
- Establishment of the operating team and related expenses Liquidity buffer

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I. Marine Chain Platform

• MCP Key Process: MCP is designed to enable the tokenization of vessels. It is built on the Ethereum blockchain enables fractional ownership of vessels. Token holders will be able to participate in the financial benefits of vessel ownership.
• MCP Token Introduction: MCP will create Marine Chain Token (MCT) - an ERC20 compliant, MCP specific currency - as a proof of contribution to the platform that is transferable. Once token sale starts any Ethereum (ETH), Bitcoin (BTC), or Litecoin (LTC) wallet can purchase Marine-Chain Tokens. Fiat currencies will also be accepted.
• Marine-Chain Token Usability and Transferability: The MCT Token Sale has the purpose to raise funds for the platform development. MCT holders can later purchase Vessel Tokens with their MCT when the platform has been built and is in operation. MCT holders can use their MCTs to pay any fees (Vessel listing fee, trading fee, transfer fee etc.) or since MCT is an ERC20 token, they can freely transfer their MCTs and trade it anywhere on the Ethereum eco-system.
• Tokenization of Vessels: Marine-Chain allows vessel builders, owners, or sellers to sell their vessels on the platform digitally. Marine-Chain will work with partnered maritime organizations to identify the potential vessels to be digitized on the platform. There will be strong due diligence before confirming the listing on the platform of any vessel.
• Vessel Token Lifecycle Events: Upon successful creation of the vessel digital assets, all the token holders are rightful owners of the vessel and will be entitled to a profit generated by the vessel. Marine-Chain also aims to create value for the token holders by allowing secondary transactions to occur where the vessel token ownership can be transferred to another person.

Blockchain for the Marine Industry

• Blockchain History: Blockchain is a compound word, literally meaning putting blocks in chains. Each block contains unique information about a transaction, i.e. who it's from, how much it's for or where it's going. The genius of blockchain is the solving of what has been referred to in the industry as the double spend problem. Effectively being able to spend the same money twice. This problem was formerly solved by putting a trusted 3rd party in the middle of the transactions to prevent this from happening. Cryptographers sought to solve this problem without the need for third party intervention.
• Blockchain Technology: The blockchain which is the technology at the heart of Bitcoin creates blocks and inserts each block into an immutable chain. Meaning a chain of blocks or records that can never be changed. Each block has a timestamp and the data from the transaction. The chain is built on a peer to peer distributed system that allows each node or person the full access to every transaction that has even been recorded on the chain. This process is done through what is called mining. Once this process is complete that newly form block can never be removed or altered.
• New applications of blockchain: Blockchain can be used for many more application other than currencies. Record keeping on the blockchain allows for an immutable record trail that is in the hands of many people all with the same information. The advancement and rapid adoption of blockchain technology has enabled a fundamental change in paradigm for many industries where democratization and subdivision of ownership were previously impractical and inefficient. Marine-Chain aims to fulfill a growing market need by utilizing the blockchain.
• Applying blockchain to the marine Industry: Although the marine vessel market has plenty of opportunities for making significant gains, buying and owning a vessel is out of reach for most. When joint ownership exists, it is usually with just a few select individuals under written agreements which

are slow and cumbersome to execute. Marine-Chain is applying blockchain technology for the "tokenization" of vessel 19 ownership. In a simple, fast, efficient and transparent process, these tokens can then be

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Revenue Model:
Marine Chain Platform
Revenue occurs when a vessel is tokenized, and any amount of those tokens are sold.
Marine Chain collects <1% of value traded on our platform on every transaction. This can occur many times
over for each vessel because tokens can be exchanged easily. Additionally, each
time a vessel is listed/delisted on the Marine Chain Platform, there is a small fee collected. All transactions are paid for by Marine Chain Tokens. Increasing the number vessels on our platform and sales
will increase revenue; our partnerships are important for this reason. Note that many vessels are worth many millions of dollars.

By comparison, the Marine Chain Platform will attract sellers because we offer a reduction in the traditional broker fee of 1%, thus resulting in money saved for the seller.

Marine Chain Exchange

Revenue is derived from a small fee on each and every transaction that occurs on the platform. Increased trading volume and users bases drive this number up. Additionally, Marine Chain Exchange may charge a considerable fee for alt coins/tokens that want to be listed on tradable on the exchange. Furthermore, a licensed exchange will allow us to list other Initial Coin Offerings (ICOs) for a hefty fee, likely to be charged as a percentage of the amount of capital raised.
ICO Brokerage

Revenue from ICO. Brokerage are excluded at this stage.

Marine Chain: SWOT analysis

Strengths
Core team with massive amount of expertise and experience
Very strong advisors and partners
High-level design and architecture have been laid out
White paper and business plan
350-page report by SCMO on maritime industry leading to target segments
Top lawyers as advisors
In terms of execution, there is significant experience in the ICO space, so very high confidence to be able to deliver the platform and exchange within the specified timeframe

Opportunities
Shipowners are desperate for cash
Perfect timing on the sustainability theme
Access to huge asset class to a new investors

Expansion to other hard asset sectors
Once the exchange is up, we can expand in various areas creating futures, indices or others
On sustainability, we can potentially do scoring, measure the impact and can change the industry for the better

In the shipping industry:

- Tonnage is cheap now and expect to gain in the next 5 years; Reversing the depreciation factor of the vessel
- Projecting that ships' tonnage will be increasing gradually down the road

Annex 25 : Excerpt from « Marine Chain Team members » document

MARINE CHAIN TEAM MEMEBRS :

Brain Child and Main Investor:

Julien Kim aka Tony Walker : +12068665574
Tony Walker tonywalker@marine-chain.io
Tony Walker tnywalker3@gmail.com

Source: The Panel

Annex 26 Information on Consultancy contract signed between Julien Kim and Captain Foong dated 18 January 2018

A. Contract details

The contract stipulated the following responsibilities: “Party B, under the consultant with Party A and under his consent shall register the company with name Marine-Chain Foundation to the country where it is helpful for company’s development”; “shall open corporate bank account(s) in the bank where it is helpful for company’s development”; “shall attend the Company’s business-related event”: and “shall sign on the company’s business-related document i.e. agreement, contract, payment proposal and etc” Foong could propose “ideas and plans for company’s development” for Kim’s consideration, but was given no specific responsibilities typical of a CEO.

B. Julien Kim’s signature on last page of contract:

Signature:

I, Julien Kim, hereby accepts and agrees on the agreement:

Name: Julien Kim

Signature: [signature]

Date: 18th January 2018

I, Captain Jonathan Foong, hereby accepts and agrees on the agreement:

Name: Jonathan Foong

Signature: [signature]

Date: 18th January 2018

Julien Kim's signature on other pages of contract:

Julien Kim
18.01.2018

Julien Kim
18.01.2018

Julien Kim
18.01.2018

Source: The Panel

Annex 27 : Additional findings in Marine Chain case investigation

1. After signing the consultancy contract on 18 January 2018, Kim indicated to Foong in a text message that he was to hold 100% of the company's shares. Foong objected to this on the grounds that it was "too much responsibility" for him and "not much time to look after the operation aspect". Kim replied that he should not worry about the company's operations, stating, "you can simply write me authorization letter to handle operation." (See next Annex)

2. Despite Kim's role in directing company operations, Foong was unable to answer basic questions about or provide basic information, contacts or biodata for him. When pressed, Foong produced some email and text correspondences with "Tony Walker" as well as his alleged address in the US (which misspelled the city "Denver"). Another of the consultants hired by Marine Chain as "Chief Strategist and Development Officer" also complained about the orders emanating from "Tony Walker" who was supposed to be just advising Foong and who was never seen in person. Kim issued directions over email and text and joined meetings via Skype or chat, claiming to be in various countries where he was meeting "potential investors", including in Italy, China and the US.

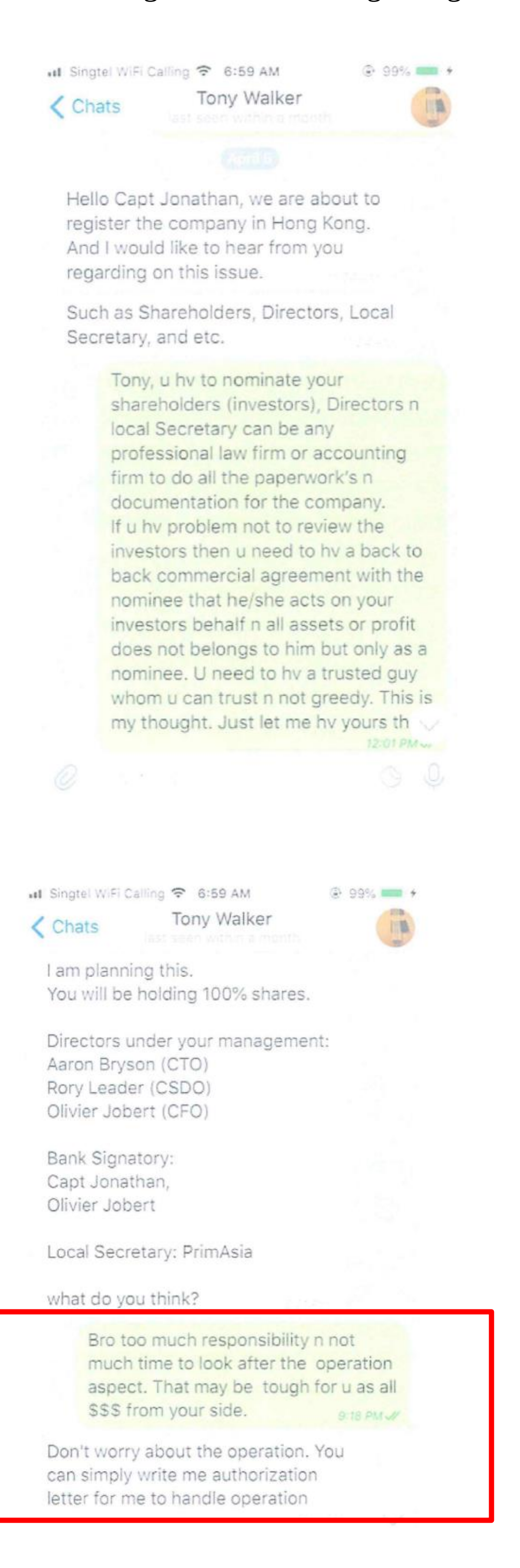
3. Despite the opacity around his identity, Kim appears to have been unimpeded in his ability to conduct business globally, hiring more than a dozen well-reputed consultants and law firms across Europe, the US, and Asia with decades of international business experience (See Annex entitled, "Consultants and Law Firms retained by Marine Chain"). Kim dealt directly with most of the consultants and law firms he hired, presenting Foong with bills to pay for services and phone calls for services the substance of which Foong was not aware.

4. After ceasing to make payments into Foong's Singapore account, Kim disappeared completely in July, leaving Foong to deal with all of the fall-out including unpaid invoices, unpaid consultants etc. Foong tried multiple times to get in touch with Kim, as did other team members. The company was closed in September 2018.

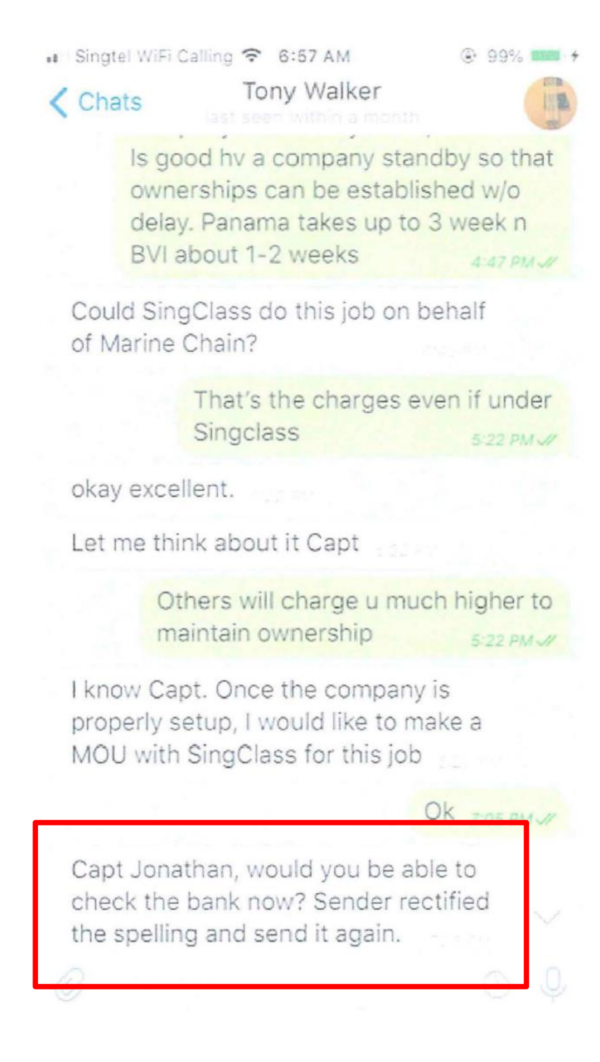
Source: The Panel

Annex 28 : Text communications between Julien Kim (« Tony Walker ») and Captain Foong on Marine Chain operations

A. Registration of Hong Kong company and allocation of shares



B. Financial instructions from Kim ("Tony Walker") to Foong





98%



Tony Walker



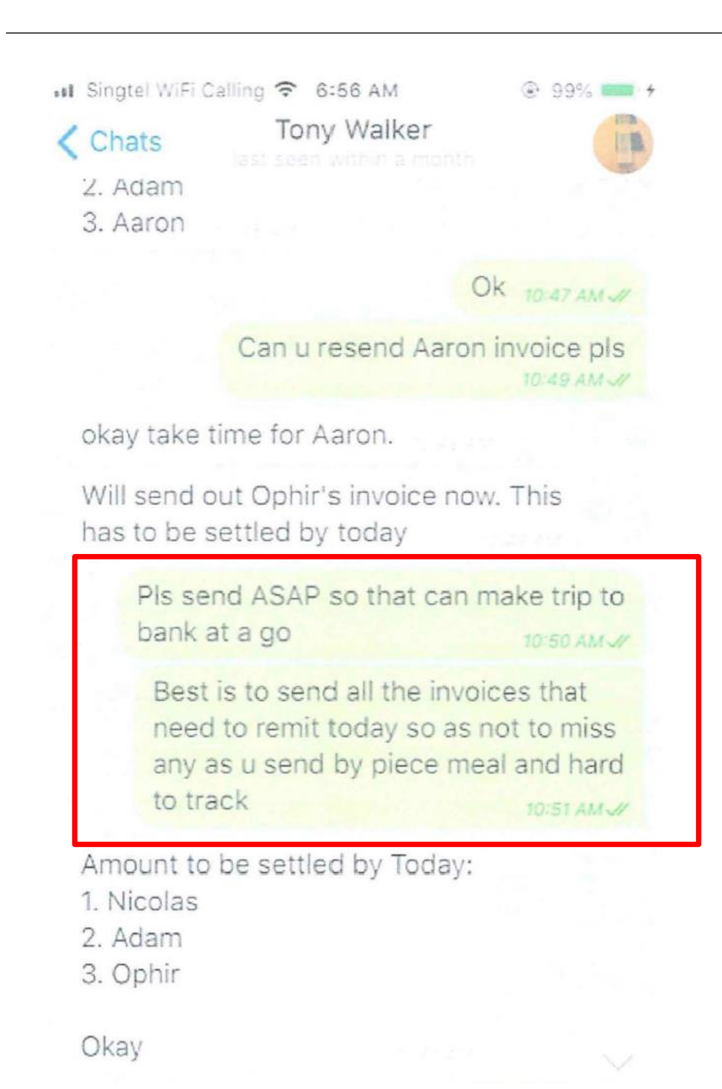
let me check with sender's side.

Pls resolve. Onboard plane now no more correspondence for the time being 11:55 AM

Dear Capt, Would you please make a payment to Floyd first or assure Floyd about the payment? There must be a mistake from sender's side however, I have to wait to contact due to different timezone.

It is extremely important payment that determines the future of the project. I will settle with the sender soonest.

At least I would like you to assure Floyd for the payment. I made a promise with Floyd that the payment will be made by today however, due to the issues we are facing now, it seems impossible at this moment. Would you please at least call him to give him assurance?


Singtel WiFi Calling 6:56 AM 99%
Chats
Tony Walker
last seen within a month
2. Adam
3. Aaron
Ok 10:47 AM
Can u resend Aaron invoice pls 10:49 AM
okay take time for Aaron.
Will send out Ophir's invoice now. This has to be settled by today
Pls send ASAP so that can make trip to bank at a go 10:50 AM
Best is to send all the invoices that need to remit today so as not to miss any as u send by piece meal and hard to track 10:51 AM
Amount to be settled by Today:
1. Nicolas
2. Adam
3. Ophir
Okay



To get Clarkson agreed, we need to finalised our procedures n then proposed to Martin n convince him that this is the new way of SNP in the Broadchain methodology. He also needs to convince his HQ for acceptance.
They are earning far less n doing more work here. They hv to find the buyers that can accept our procedure n is not easy. 4:41 PM

Capt Jonathan, would you please send me the accounting file for MC? I would like to know how much balance i have at this moment of time

Ok - will revert the summary fyr. 8:54 AM

Capt Jonathan. Good morning. Would you be able to join our call for business









< Chats
last seen within a month

Would you be able to attract shipowner's interests towards our project so that they may invest/ support our platform at early stage?

Noted yours n can help broadcast n meet some. All incidental costs will b[e] chargeable then to u. 11:23 AM

of course

To spread wide n attract more, at a shorter time, is good to lay a commission guidelines for those wh[o] can assist to bring in the vessels an[d] also to invest.Hv u considered? Rory has some proposed attraction previously from other ICO which we can use as a guide.
Just a thought 11:27 AM

7% commission is applied to person who successfully brings in the investment and contributed to MC.

Source: The Panel

Annex 29 : Selected transfers to and from Singclass bank account

A. Transfers by Julien Kim to Captain Foong's corporate account in Singapore

Company	Date	Amount transferred (in USD)	Payment details / notes
HONGKONG JOOLEE GROUP CO., LIMITED	26 February 2018	59,940.63	None listed
SOUTHING TRADING CO., LIMITED	7 March 2018	55,731.64	None listed
BLUE VEENUS LIMITED	27 March 2018	33,493.30	None listed
TOTAL GOLD LIMITED	10 April 2018	149,973.18	Payment details: "payment for goods"

B. Selected recipients of transactions undertaken by Captain Foong

Foong processed many payments on behalf of Julien Kim through Singclass International Pte Ltd but some of the accounts with possible links to the DPRK include:

1. "郑成守" (resembles a DPRK name) at an account at the [redacted]

2. LIN YUN JING (a possible DPRK name)
Bank Name: [redacted]
Branch Name: [redacted]
Branch Address: [redacted]
Swift Code: [redacted]
Account No: [redacted]

Note: To record financial transactions undertaken on behalf of Kim, Foong used an Excel document as a ledger which he shared with Kim (who referred to it as an "accounting file") See previous Annex.

Source : The Panel

Annex 30 : Consultants and Law Firms retained by Marine Chain

- An advisory firm headed by a French national specialized in logistics, transportation, and supply chain management, with specific experience in blockchain was hired to lay the groundwork and assist with hiring the rest of the team of consultants.

- A Chief Financial Officer of French nationality residing in Hong Kong, with 18+ years of building, leading and advising some of World's leading corporations & Fortune 500 companies across multiple industry and geographical settings of the Asia-Pacific & Europe.

- A Chief Technology and Security Officer based in the US with a wide scope of experience in building enterprise software and products for Fortune 500 companies. This person established the website domain, www.marine-chain.io in March 2018.

- An Operations & Sustainability Officer of Finnish nationality residing in Finland with a doctorate in science in construction project management.

- A Chief Blockchain Architect of Singaporean nationality but residing in Hong Kong, with years of international blockchain expertise and specialties in Fintech, product portfolio management, cloud, blockchain and program management.

- A consultant of German nationality living in Hong Kong with 17+ years experience in Banking, Finance Trading through work in London, New York, Tokyo and Hong Kong. This consultant developed a business plan and investor deck.

- One of the largest global integrated shipping services companies was hired to attract clients for Marine Chain and undertake shipbroking and shipping research.

- A high-level industry expert company providing advisory in logistics, transportation and supply chain management was hired to produce a 350-page extensive feasibility study for Marine Chain and ongoing industry advice and expertise.

- Four legal teams in different firms in Hong Kong were retained to provide legal advice in various fields. One provided advice on the structure and proposals for Marine Chain; another provided advice on blockchain technology and cryptocurrency; another was retained to provide advice on the structure and planning of the project and to apply for the SFC license. A further team undertook preliminary analysis of possible Marine Chain token models from a regulatory standpoint.

Annex 31: “Choke-point” items survey

Stemming from its ongoing investigation on the procurement of pressure transducers by two DPRK agents, the Panel is conducting a survey of the world’s manufacturers of “choke-point” items: items whose procurement remains critical or important for the DPRK’s illicit programmes.[82] Based on its analysis of past investigations and information from Member States, the Panel notes that the DPRK’s procurement routes are not only directly from producers but also through retailers, second-hand markets, “business to business” websites, and even through the industrial scrap market[83]. Although producers’ control over and oversight of the aftermarket is limited, they still face reputational risk from subsequent diversion and there are precautionary measures they can apply. Some producers are new entrant manufacturers of advanced-specification items looking to establish internal screening systems, while others are looking to enhance their existing systems. Therefore, as part of its “choke point” items survey, as well as identifying critical items and the risk of diversion to the DPRK, the Panel is requesting information on the internal screening processes of producers, with a view to promulgating “best practices’. The Panel additionally continues to analyse new patterns and trends in DPRK illicit procurement.

[82] S/2019/171, paragraph 66.
[83] Also see section 6, Annex 30.

Annex 32: Strengthening the ballistic programme's capacity

1. According to one Member State the DPRK is actively engaged in indigenous R&D and the production of missiles with solid propellant, *inter alia* at the industrial complex of Hamhung. According to another Member State, there is a clear development progression from propellant for artillery rockets/SRBMs to solid propellant for ICBMs (see section 4 of this annex).

   Figure I shows two similar distinctive white containers (11m x 2.40m) moving in two diffent areas of the Hamhung-Hungnam industrial complex. The first container moved from the location 39°49'11.81"N 127°35'17.93"E, 400m from the solid fuel propellant production facility of the Hungnam 17 Factory (39°49'27.00"N 127°35'13.55"E), as observed during the following dates in 2019: 20 February, 25 February, 1 March, 4 March, 25 March, 26 March and 3 April.

   The second white container moved from location 39° 57′ 27″ N 127° 33′ 37″ E, at the new production area of the Chemical Material Institute CMI (production of missile casing), as observed during the following dates in 2018: 29 July, 18 August (1h56; 4h50) and 15 September. This type of white containers (11m x 2.40m) could transport rocket motor casings (wound from composite fibers).

Figure I: Similar white containers moving at the solid fuel facility (first seven pictures) and the rocket casing production facility (last four pictures)



Source: Images courtesy of Planet Labs, Inc, and image@2019DigitalGlobe Google Earth (5th picture fron the left)

2. Mobility and versatility through the use of different types of Transporter Erector Launcher (TEL) was demonstrated in the SRBM launch tests on the 4 May with a wheeled TEL and 9 May with a caterpillar TEL (see section 3 of this annex). Moreover, the caterpillar TEL (9 May) used the same cabin as was seen during a test of the Pukkuksong-2 (KN-15) MRBM on a wheeled TEL.

Figure II: Wheeled TEL on 4 May (left), caterpillar TEL on 9 May 2019 (right)



Source: KCNA (left), Rodong Sinmun (right)

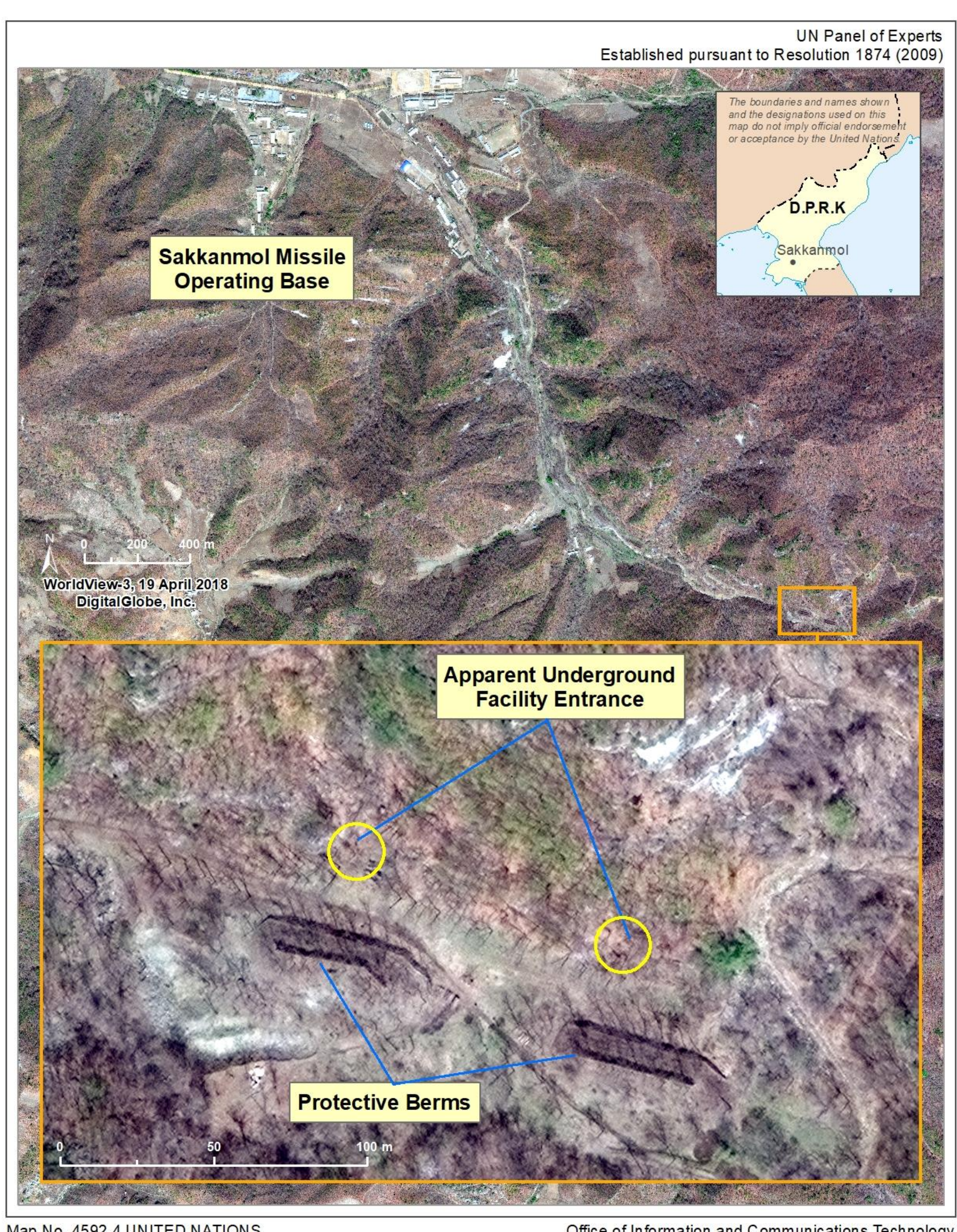
3. According to one Member State, the DPRK's capacity to penetrate ballistic missile defense systems has increased with the new SRBM tested on 4 and 9 May 2019 (see Figure II above) because its trajectory is flatter than that of a traditional SCUD missile. According to another Member State, the DPRK has achieved indigeneous capabilities in the production of guidance systems. For the 4 May SRBM test launch the estimated range was 230-240 km and for the 9 May test 270-420 km. The 9 May test took place from the launch site near the area of Kilchu-kun (40°57'23.81"N 129°19'4.83"E). According to this Member State, the missile system tested on 4 May and 9 May was the same and the launches were supervised by the DPRK's conventional command. According to the first Member State, the DPRK has upgraded its SCUD-D missile systems with better guidance and electronics. The DPRK has exported the SCUD-D to Syria which has been its long-term customer and partner. Despite its active attempts, it is increasingly difficult for the DPRK to secure new customers.

4. The DPRK's BM programme is comprehensive and autonomous. Systems integration and internal synergies ensure that developments on the SRBM programme benefit MRBM/IRBM and ICBM programmes. With regard to missile engine development[84], according to one Member State, the DPRK's current goal appears to be to develop a solid-fueled first stage for its ICBM. Another Member State observed the deployment of solid fueled missiles Pukkuksong-2 (KN-15) MRBM in the missile bases close to the northern border where the liquid fueled missile Nodong also remained deployed.

5. The dispersed, concealed and underground infrastructure of the BM programme has been continuously improved (see Figure III: Sakkanmol missile operating base). There has been continuous construction of storage galleries (see Figures III and IV) and support structures accompanied by increasing natural concealment of facilities by vegetation. Regular activity has been observed at the ICBM bases located in areas close to the northern border. Site and infrastructure work is in progress. According to a Member State, the DPRK's priority is to secure the railway network dedicated to support its ICBM brigades which is essential for the ICBM bases network. There are stations within 5 km of each missile brigade and storage site. Development was observed at the Hoejung-ri ICBM site, 25 km from the northern border (see S/2019/171, Annex 84-3). The DPRK has a total of 5200 km of partially electrified rail track, much in a poor state.

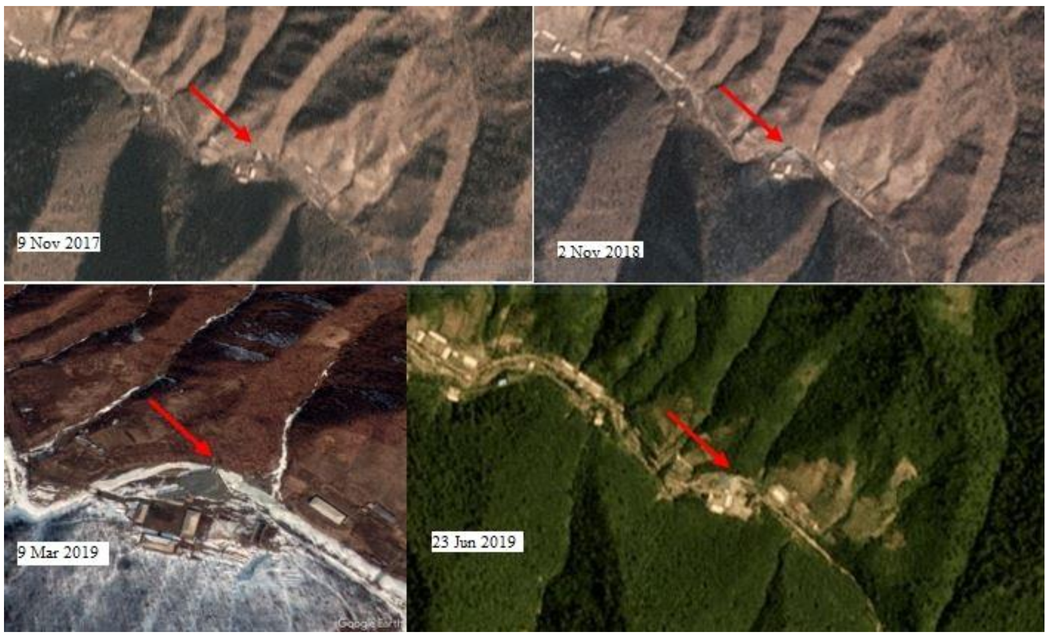
[84] See reference to propellant in paragraph 1

Figure III: Concealment, protection and underground gallery entrance of two galleries in the area of Sakkanmol missile operating base, located at 38°34'15.23"N 126° 7'18.12"E and 38°34'14.31"N 126° 7'21.64"E, respectively.



Source: The Panel.

Figure IV: underground facility development in progress on 9 November 2017, 2 November 2018, 9 March 2019 and 23 June 2019 in Hoejung-ri ICBM Base, located 41°21'56.17"N 126°55'42.32"E



Source: Images courtesy of Planet Labs, Inc and image@2019DigitalGlobe Google Earth (bottom left corner)

6. The DPRK's development of the BM programme benefitted from active cooperation with third countries, including in sales and procurements in the missile field. One Member State reported to the Panel on such activity particularly during 2018. According to a second Member State, the Second Academy of Natural Sciences (subordinate to the 2nd Economic Committee) changed its names to 'Academy of National Defense Science' (ANDS). Both names are listed: respectively as KPe.018 and KPe.021. ANDS controls a network of overseas front companies tasked with collecting scientific information. Moreover, ANDS plays a key role in the DPRK's R&D efforts related to chemical and biological weapons.

According to the first Member State, ANDS (see Figure V) manages most missile-related procurement and export activities through overseas agents and front companies. These include the Pusong Trading Corporation and the Korea Habjanggang Trading Company which have been involved in procurement of chemical process equipment related to missile technology from East Asia (Figure VI).

A procurement agent in Europe working with Pusong Trading Corporation sought to acquire used mixing machinery that could be deployed in the BM programme (see Figure VII). Such used machinery has no warranty and is subject to less stringent export controls than new equipment. The market for used equipment (and related scrap) is less visible. This procurement attempt by the DPRK agent was unsuccessful, but the Panel was told that the agent has diplomatic status and is still in Europe.

In Syria, DPRK technicians still appear to be present and in contact with Pyongyang, according to the first Member State. DPRK representatives in Syria are also in contact with procurement agents in a third country who can acquire specialized technological equipment. Such exports are arranged by DPRK agents right from the market to the customer in a manner that is difficult to track.

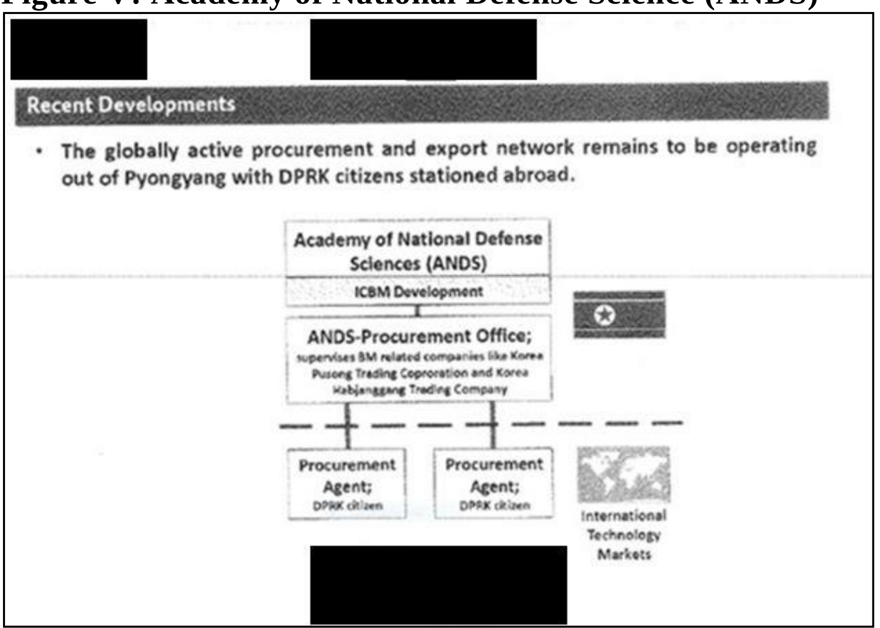
Further, according to the first Member State, in February 2019 in East Asia, DPRK procurement agents procured high-tech communication equipment for missile-to-ground communication that can operate at very high altitudes. The DPRK regularly procures Glonass/GPS sensors at intervals of around two months.

The 221 General Bureau of the designated Reconnaissance General Bureau (RGB) (KPe.031) is charged with generating hard currency through exports of prohibited goods (see Figure VIII) in order to support the listed entity KOMID (KPe.001) (see Figure VIII), aka External Economic General Bureau. The funds generated by these weapon sales remain outside the DPRK where they are transferred from trade agents to procurement agents for the acquisition of sought-after commodities. These commodities are then transferred and sold in another country to generate hard currency, allowing the DPRK to launder and conceal revenues from arms sales without using the international banking system.

Instead of exporting full missile systems, the DPRK is sending technicians to a buyer country and establishing a complete supply chain. Such activities are ongoing in Iran, Syria and Egypt according to the first Member State. The Panel was told that the 221 GB is represented at the DPRK Embassy in Teheran with by least three individuals. The number of DPRK procurement agents overseas is decreasing and those remaining are focusing on the procurement of critical missile related components as well as dual-use and below-threshold items. In order to circumvent sanctions, the DPRK changes its import/export-related organization structures every eight months.

According to the first Member State, there are DPRK students involved in international scientific collaboration in East Asia who have studied issues including advanced composites in special environments and space material behavior and evaluation. Intangible transfers of technology are key to the DPRK's move towards self-reliance.

Figure V: Academy of National Defense Science (ANDS)



Source: Member State

Figure VI: Korea Habjanggang Trading Company



[redacted] [redacted]

Recent Developments

• [redacted] representatives of North Korea's Korea Habjanggang Trading Company have been inolved in procurements of chemical process equipme[redacted]

Exporter: [redacted]

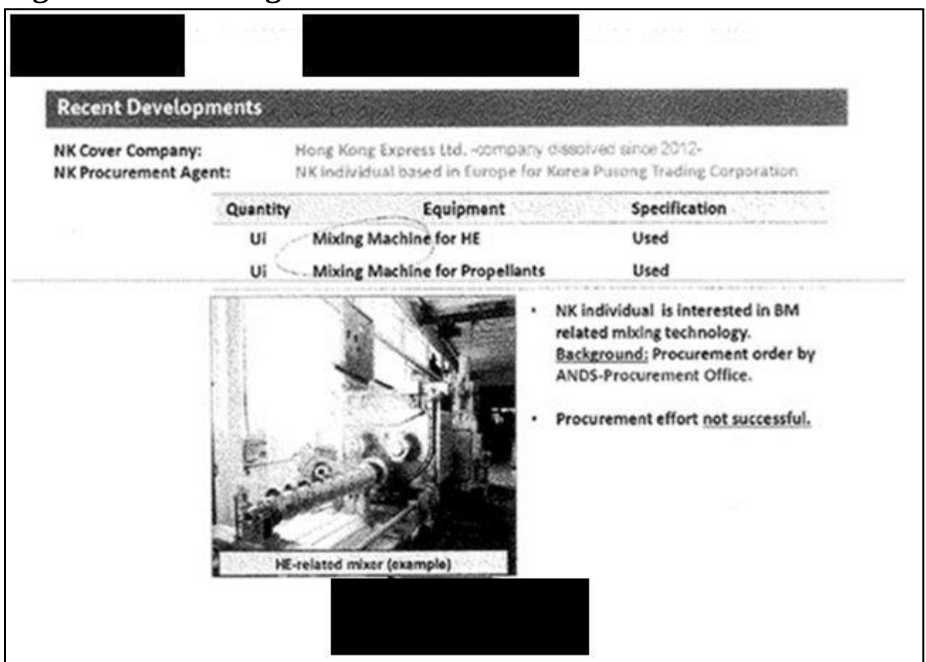
NK Consignee: Korea Habjanggang Trading Company

Quantity	Equipment	Specification	CoC
10units	Digital Indicating Controllers	UT35A	[redacted]
200kgs	Lithium Carbonate	CAS 554-13-2	
100bags	Sodium Fluoride	CAS 7681-49-4	
100bags	Epichlorohydrin	CAS 106-89-8	
1mt	Activated Charcoal	CAS 7440-44-0	

[redacted]

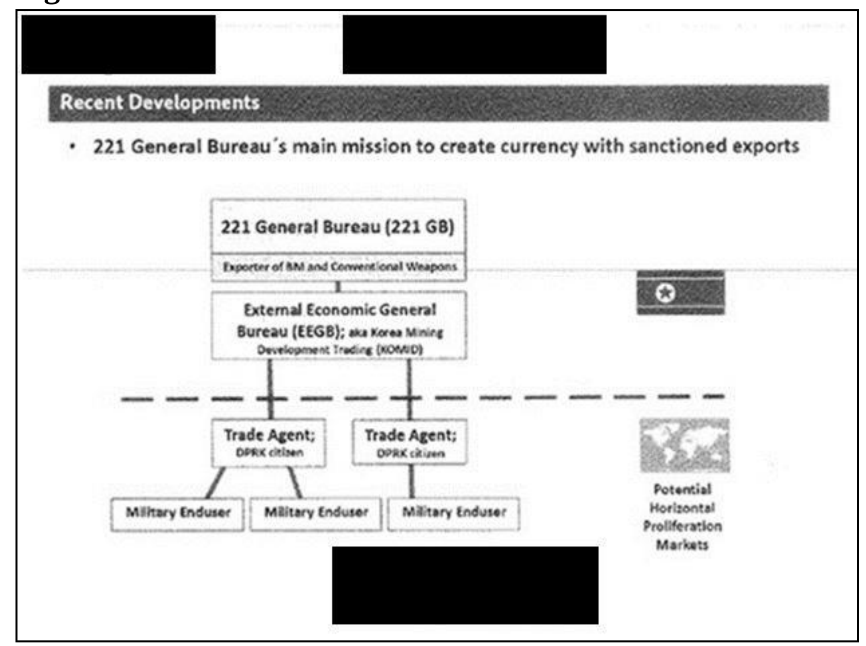
Source: Member State

Figure VII: Mixing machine



Source: Member State

Figure VIII: 221 General Bureau of RGB



Source: Member State

7. Dismantlement of the Sohae (Tongchang-ri) satellite rocket launch site was interrupted. The vertical missile-engine test stand is now renovated and possibly operational.

Figure IX: Sohae vertical test site on the 28 December 2018, with the roof of the structure partially dismantled (left). The roof of the structure was rebuilt by March 2019, and only limited changes had been made since then, as observed on 2 May 2019 (right).



Source: Images courtesy of Planet Labs, Inc.

Figure X: Sohae satellite launch site on 28 December 2019, with the rail mounted structure dismantled (left); it was rebuilt as observed on 8 March 2019 (right).



Source: Images courtesy of Planet Labs, Inc.

Annex 33: Status of Member States reporting on implementation of relevant resolutions

As of 31 July 2019, 37 Member States have submitted reports on the implementation of paragraph 8 of resolution 2397 (2017), 75 Member States have submitted reports on the implementation of paragraph 17 of resolution 2397 (2017), 90 Member States have submitted reports on the implementation of resolution 2375 (2017), 87 Member States have submitted reports on the implementation of resolution 2371 (2017), 104 Member States have submitted reports on the implementation of resolution 2321 (2016) and 113 Member States on the implementation of resolution 2270 (2016).

Source: The Panel